

**BERGENFIELD ZONING BOARD OF ADJUSTMENT  
REGULAR MEETING MINUTES  
September 8, 2025**

Chairman Ben Cabrera called the meeting to order at 8:00 P.M.

**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 a municipal public notice bulletin board 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 themselves from participating in any discussion on this matter.

**PLEDGE OF ALLEGIANCE**

Led by Board member Smith.

**ROLL CALL**

**Present:** John Smith, Amnon Wenger, Jose Morel, Ben Cabrera, Yitz Novak, Oriole Familia, and Richard Morf

**Also Present:** Gloria Oh, Zoning Board Attorney, Antonios Panagopoulos, Zoning Board Engineer, John Szabo, Planner from Burgis Associates, and Hilda Tavitian, Zoning Board Clerk

**Absent:** Jason Bergman (excused)

**INTRODUCTORY STATEMENT**

Welcome to the Zoning Board of Adjustment. Let me briefly explain what we do. We are appointed by the Bergenfield Council to decide when a property owner should get relief from the strict application of the zoning regulations that are set forth in Bergenfield's zoning ordinance. Typically, we hear two types of variances. The first is whether an applicant can vary from land use restrictions including rules on sideline distance, height, and lot coverage. That is commonly called a bulk variance. The second type of variance is a use variance, where an applicant wants to use the property for a purpose not permitted under the zoning ordinance in that zone.

In these cases, the applicant has the burden of meeting certain criteria set forth in the Municipal Land Use Law, which is available online. We carefully listen to the testimony, including objectors, and review all relevant documents. If a majority of the Board concludes that the applicant has satisfied those criteria for a bulk variance, we must grant the requested variance. Approval of a use variance requires five affirmative votes.

**APPROVE MINUTES OF PREVIOUS MEETING – August 4, 2025**

**Motion By:** Board member Smith

**Second By:** Board member Familia

**All present, voting in favor. None opposed.**

**CORRESPONDENCE**

None.

## **PUBLIC COMMENT**

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

Barry Doll, 97 Highgate Terrace, stated his team was successful in receiving judgement from the court for the 145 West Main Street variance application. Judge Padavano ruled that the approval to build three two-family homes be vacated. The residents challenged the resolution and had to go to Superior Court. Mr. Doll would like to have an internal appeal process put in place in the borough so that a resident who would like to challenge a decision can go to. He stated someone who is against a decision made by the Zoning Board of Adjustment can go to the Planning Board and vice versa. It would cut down the time spent and the cost of legal expenses on part of the borough and the resident. There isn't due process currently for the ordinary resident.

Chairman Cabrera stated that's a discussion and decision for the Mayor and Council to make.

Board member Smith stated the Board's guidance is given by state statute.

## **OLD BUSINESS**

Resolution: Adi & Shai Berman, 106 Cameron Rd, Addition and Alteration

Motion By: Board member Morel  
Second By: Board member Familia  
3 ayes. 1 nay.

## **NEW BUSINESS**

**Applications:** Ron Filera  
92 Somers Avenue  
Inground Pool  
Carried from Last Month's Meeting

Board member Smith recused himself.

Ron Filera, applicant, stated he will be renovating his backyard and replace the walls of the pool. All of the cement and the back porch was removed, a new fence will be put in, and there will be pavers around the pool, a new back porch, and a 6 foot vinyl fence around the yard. Mr. Filera stated he received a plan from the board engineer coming off 2 feet from the property line. He is proposing 2 feet coming off the property line in certain areas and 4 feet in other areas. The board engineer suggested a reduction of 236 sq. ft. and he is proposing a reduction of 260 sq. ft. Mr. Filera stated he will be putting in a new curb on the outside of the fence. The outside fence line was all cement and will be grass now, covering 224 sq. ft. Mr. Filera stated he would like to put a 4 x 7 paver walkway leading to the gate to the backyard. The porch will be 4 ft. x 18 ft. The pool equipment will be along the fence line. He is aware that it has to be 10 ft. from the property line and would like relief of 2-3 ft. to have it 7 ft. from the property line. He had called Mr. Ravenda a couple of times to inquire about this, but he did not call him back. The in-ground pool will remain the same size, 16 ft. x 32 ft.

Board engineer Panagopoulos stated it would be a bulk variance for an accessory structure. The Board would vote for what Mr. Filera is proposing on the sketch. The sketch is making a reduction in the impervious coverage. He inquired if pervious or regular pavers will be installed.

Board attorney Oh stated it could be subject to the approval.

Mr. Filera stated he will be using permeable pavers from Cambridge. He inquired if artificial grass and mulch is considered to be impervious.

Mr. Panagopoulos stated artificial grass is considered impervious per DEP. A mulch area is OK.

Ms. Oh stated the notice allows for additional variances.

Board member Cabrera stated he had seen the pictures submitted by Mr. Ravenda and the video by the applicant and inquired how the walls of the pool can be repaired.

Mr. Filera stated the walls are going to be replaced. Everything will be exactly the same size. It will be a pool replacement.

Board member Morel inquired what the land use percentage is.

Mr. Panagopoulos stated overall it's a reduction of impervious coverage of approximately 260 sq. ft. It will be 5% less coverage.

Chairman Cabrera inquired if there was a deck before.

Mr. Filera stated there was a brick and mortar porch. He stated it will be open under the deck and he would like to use it for storage. The ground under the porch will be pavers. Mr. Filera stated he had applied for permits, 3 being currently open for the fence, porch, and pavers to cover the entire lot. He had started the construction, taking down the porch and part of the fence. He explained once uncovered, they noticed the condition of the pool walls and the pool company had reached out to Mr. Ravenda to inquire if a variance was required if the pool walls were taken out.

Mr. Panagopoulos stated the lot coverage was about 70% and will be reduced to 60-65%. He's proactively trying to make drainage better and going to use pervious pavers.

**Questions from Residents:**

No one came forward.

**Motion to Approve Application with Requested Variances**

**Motion By:** Board member Wenger

**Second By:** Board member Familia

**6 ayes. 1 recuse.**

Muslim Cultural Center of Bergen County, Inc.  
52 E. Johnson Avenue  
Addition to Existing House of Worship  
Carried from Last Month's Meeting

Mark Madaio, 29 Legion Drive, Bergenfield, NJ, applicant's attorney, stated they are here for the continued hearing for 52 East Johnson Avenue, House of Worship. It is an expansion of the existing Muslim Cultural Center of Bergen County. Mr. Madaio stated there is an amended architectural plan the architect will testify to and the engineering plan has been amended, also. The imam will discuss the uses of the property, the traffic expert, and the planner will provide testimony.

Anwar Alkhatib, licensed project architect from AK Architecture, 151 West Passaic Street, Rochelle Park, NJ, stated at the previous meeting there was some conflict between with the architectural plan and engineering plan. The architectural plan was amended regarding the setbacks, trash area, and the condensers. Mr. Alkhatib stated the amended architectural plan dated 8/25/25, Exhibit A-2, is now consistent with the engineering plan. The setbacks and the proposed area for the condensers are all matching. The proposed number of occupants in the basement prayer room are 144, 103 in the proposed first floor, and 100 on the second floor. There used to be a storage room in the area next to the bathroom, but has been changed to a mechanical room, where the furnaces will be. There is a proposed multi-purpose area in the basement that will be used for prayer and other functions. They consider 10 sq. ft. per person for prayer and 15 sq. ft. per person is considered for sitting area. The roof tower is shown on the plan now and access to the attic space that will support the heating and cooling was added.

Chairman Cabrera inquired what the total number of occupants will be.

Board engineer Panagopoulos stated the existing number of occupants is 163 and 382 for the addition for a total of 545 occupants. Ultimately, the fire official will review the plans and determine the maximum number of occupants.

Mr. Madaio stated all of the spaces will not be used at the same time.

Mr. Alkhatib stated the building height will be 40.65 feet. If it is made lower, it will be harder to use the attic space. It will be a better architectural look and will match the pitched roofs of the homes in the neighborhood. If it is lowered, they would lose a floor. A flat roof would make it look like an office building.

Board member Smith inquired if a House of Worship is considered as a business or residential. The height is 40 feet for a business.

Mr. Madaio stated they have to use for the purposes of their request that is 30 ft. and is the standard in a R-5 zone. The House of Worship is a conditionally permitted use. The lot size is the only condition they don't have.

Board attorney Oh stated the House of Worship is neither a business nor residence, but is located in a residential zone.

**Questions from Residents:**

Jim Guillen, N. Taylor Street resident, inquired why there isn't any parking proposed and what the design for parking is. He inquired what the maximum capacity of occupants is.

Mr. Alkhatib stated the maximum capacity is 545 people.

Marivilla Ebor, Carol Lane resident, inquired if the height is going to be the same as the houses next to it.

Mr. Alkhatib stated it will be probably be 5 feet higher than the homes next to it.

Ann DeJesus, Johnson Avenue resident, inquired how long the construction is going to be and how it will impact the environment and noise.

Mr. Alkhatib stated this type of construction goes through the building department. There is a standard that needs to be followed. There is soil and erosion testing done which is monitored by the building

department. Anything not in compliance with the code will not be performed. The construction will take approximately one to one and half years.

Paul Szabo, planner, inquired if the addition is going to be at 40 feet. He wanted to clarify that there wasn't an analysis done on the impact of the heights on the street or the neighborhood. The Board needs to determine the impact of the House of Worship in terms of the mass and if he has an opinion. It should be integrated into the neighborhood as seamlessly as possible. He is concerned about what impact the massing will have on the homes across the street and next door.

Mr. Alkhatib's response was yes. He stated he is not concerned because the building has a pitched roof. It won't create any impact. The shape of the building, the pitched roof, and the setbacks from the neighbors from both sides is enough for this kind of building.

Barry Doll, Highgate Terrace resident, inquired how high is the tower. He inquired where the imam lives.

Mr. Alkhatib stated the existing tower is 7-8 feet higher than the roof.

Mr. Madaio stated he doesn't live in the building. There will not be 545 occupants in the building all at the same time.

Mr. Smith stated they can say there will have 1,000 people, it doesn't mean that is what is going to be approved. The fire official has the final say.

Mike Hubschman, licensed engineer, 263 S. Washington Avenue, Bergenfield, NJ, stated Exhibit A-3, the site plan was revised 8/27/25. It's an existing House of Worship on a 104 ft. x 110 ft. wide lot. There are two separate lots. There currently is a single-family house where the proposed expansion will be. The proposal is for a 50 ft. x 69 ft. three-story addition. The R-5 zone permits churches. The house will be removed. It's a flat lot. The entrance way will be on the west with an elevator area. Drainage is proposed for the new building with 3-4 ft. deep seepage pits. Mr. Hubschman stated test pits and borings were conducted onsite and the groundwater was 9 feet deep. The existing drainage from the existing mosque is connected to the drain in the street. There is no extraordinary grading to the site. The height proposed of the addition will be 40.65 feet. There will be two lights over the doors and some bollards around the walkways. They are proposing ten shade trees, 62 arbor vitae to be a buffer around the neighborhood, and some foundation plantings around the site. The trash disposal was revised to show the trash area in the rear of the property. They will repair the sidewalk and curbing if needed. If excessive, they can remove a few bollards. Mr. Hubschman stated the one shed in the center of the property will remain and the one in the southwest corner will be removed. Trash will be picked up the borough. The trash pad will be in the center rear and will be rolled out via N. Taylor Street.

Board member Smith inquired if they are 100% sure the borough picks up the trash.

Mr. Madaio stated it's private hauling. They can pull out the trash.

Mr. Hubschman stated they have already done soil erosion testing. They can provide the percolation test results. There will be a new fire water line installed. The height of the building will be 40.65 ft. The minimum lot area required for a House of Worship is 15,000 sq. ft. and they are at 11,522 sq. ft., minimum front yard is 25 ft. and they are at 15 ft. on N. Taylor Street, rear yard is 20.2 ft. where 25 ft is required, proposed building height is 40.6 ft, where maximum is 30 ft., existing building is 24.3 ft. but with the 10 ft. steeple, it is almost 35 ft. high, 35% is the maximum building coverage and they are at 45.6%, improved coverage is 40% and they are at 61.1%. They are not providing any parking onsite.

Chairman Cabrera inquired if 3 seepage pits will be sufficient.

Board engineer Panagopoulos stated the calculations provided are adequate. He stated in his review letter, in item #1, the number of required parking spaces should be 103 and 79 parking spaces required for the existing building, 182 in total.

Board member Wenger stated there aren't any houses of worship in town that satisfy the parking requirement.

Mr. Panagopoulos stated he doesn't know the condition of the roadway, but they should reach out to the borough engineer to ensure it's not under moratorium. He requested all utilities be kept to one trench. If they do two separate trenches, then one should be the repair strip.

**Questions from Residents:**

Mary Sullivan, resident, inquired what is the white square on the side on the plan. She inquired about handicapped parking.

Mr. Hubschman stated that's the existing house. There's a proposed elevator entrance in the front. There is no requirement for handicapped parking.

Mr. Panagopoulos stated if there are three parking spaces, one would have to be handicap accessible. It's a federal mandated formula that's used for ADA compliance.

Barry Doll, resident, inquired what the size of the existing building that is on the property currently.

Mr. Hubschman stated the size of the single-family house is 1,639 sq. ft.

Mr. Madaio stated the requirement for every House of Worship is a minimum of 15,000 sq. ft.

Board engineer Panagopoulos stated parking is a variance. He inquired about what the plan will be for staging protection of the site during construction. He inquired where the materials will be stored. The street is narrow. The location of the site limits where the construction vehicles will be parked. There will be more than 3-4 practices working at the same time and they will all want to be the closest.

Mr. Hubschman stated there will be the weighted, rented construction fencing around the site. The material will be stored onsite, North Taylor Street frontage and in the front yard. The excavation part will be the biggest part that will involve having the most number of trucks on the site. They can park in the rear and in the front during construction.

Mr. Madaio stated, as a condition of the resolution, there will be a pre-construction meeting with the engineer, police department, anyone wants to join, and borough administrator with regard to excavation, removal of soil, and bringing in vehicles. A site plan approval does not usually include a construction stage.

A five minute recess was taken at 9:43 p.m. The meeting resumed at 9:55 p.m.

Bergenfield Police Officer Robert Mader, stated his traffic report findings reflected the current parking, the roadway, and sidewalks. There currently are no parking restrictions on East Johnson Avenue or North Taylor Street. There are many streets in Bergenfield that are quite narrow. In particular, East Johnson Avenue and North Taylor Street are only 23 feet wide. Officer Mader explained the standard he used for the parking was the MUTC, Manual of Uniform Traffic Control. The standard is 8 foot wide and parking

on both sides of the street gives you down to 16 feet wide. Officer Mader stated having the roadway 23 feet wide, with 8 feet parking on either side, brings it down to 16 feet, leaving only 7 feet. The two streets are used by residents and the businesses going down towards Washington Avenue. The issue isn't with the Houses of Worship, it's everywhere in Bergenfield. He stated roadway width and parking is a problem. People have to either walk on neighbor's property or in the roadway as there are no sidewalks on Taylor Street. There have been accidents at that intersection since 2015. There is a potential of 84-100 parking spots between the two roadways combined.

Chairman Cabrera stated he drives in the area often and stated he is challenged in passing down the street when there are cars parked on both sides of the street. He stated a emergency vehicle, a fire truck, or the DPW truck would not be able to get down the street.

Officer Mader stated that is correct.

Board member Smith inquired how many years has he been a police officer in Bergenfield. He inquired how many motor vehicle accidents have there been from Washington Avenue to North Taylor Street in the last fifteen years. He inquired if Officer Mader brought the idea of alternate street parking, no parking on E. Johnson Avenue and N. Taylor Street to the Mayor and Council.

Officer Mader stated 15 years. He wouldn't be able to tell the number of motor vehicle accidents on North Taylor Street. Officer Mader stated his reports do not go directly to the Mayor and Council. He submits his reports to the Police Chief and to the Borough Administrator.

Chairman Cabrera inquired besides seeing traffic issues, does he see any safety issues. He inquired if there are safety concerns with children playing in the area.

Officer Mader's response was yes. Roadways are not playgrounds. A child that runs across the street is a hazard, a safety concern. It is tough for emergency vehicles to navigate down those streets, if at all.

### **Questions from Residents:**

Stephanie Liriano, East Johnson Avenue resident, inquired if there is consideration of parking on E. Johnson Avenue on only one side of the street.

Officer Mader stated he had brought it. Parking on one side of the street is not the right thing to do. His suggestion is there should be alternate side street parking.

Mary Sullivan, Bergenfield resident, inquired if there are any marked crosswalks in the area. She inquired if crosswalks would be necessary if there is an influx of people. She inquired if Officer Mader has suggested having crossing guards for when other Houses of Worship in town have services.

Officer Mader stated there aren't any marked crosswalks in that area, but every intersecting street has a crosswalk. He can't speak about that. He stated every intersecting street is a crosswalk. He explained marked crosswalks are in heavy pedestrian areas. It's something they can look into. The Bergenfield crossing guards are only for the schools.

Barry Doll, 97 Highgate Terrace, inquired what happens when there is inclement weather, i.e. snow on the streets.

Officer Mader stated that's for the DPW to determine, not for him to decide.

Board member Wenger asked if inclement weather would have an impact on the ability for vehicles to pass.

Officer Mader's response was yes.

Denis Gavelian, E. Johnson Avenue resident, inquired if Officer Mader took into consideration the expansion of the mosque when he calculated the number of available parking spaces. He asked if the streets surrounding the mosque can accommodate the attendees of the mosque.

Officer Mader stated he can only talk about the parking spaces available. Officer Mader's response was no.

Chairman Cabrera stated the board engineer had identified there are more spaces required than there are available.

Mr. Madaio inquired what potential conditions would alleviate the issue. He inquired if parking on only one side of the street would alleviate concerns. He inquired if making the street one-way would alleviate some of the concerns. Mr. Madaio inquired if there are any other potential conditions that would alleviate Officer Mader's concerns. Mr. Madaio inquired if the conditions are exactly the same that exist today.

Officer Mader stated alternate side street parking. It would, but also negatively impact the residents that are allowed to park in the street. It could. Officer Mader stated he would keep it as alternate side street parking as everyone would get a fair shake in parking around their house. Officer Mader's response was yes.

Chairman Cabrera inquired if the town were to make changes, would they be actively enforced.

Officer Mader stated they would have to be, if not it would be a hazardous situation.

Christopher Naylis, on behalf of the Bergenfield Fire Department, stated they concur with Officer Mader's recommendation of alternate side street parking for the area. In the past month, there have been two house fires on E. Johnson Avenue. There was some delay for the fire department to respond from Home Place, up E. Johnson Avenue to the two separate fire locations on E. Johnson Avenue. The current condition is not the mosque's fault. They are in agreement that it should be alternate side street parking as it gives the residents a fair opportunity to park on each side. Their smallest vehicle is 8.5 feet wide and the largest vehicle is 9 feet that has to comply with DOT. The longest one is 49 feet and is almost impossible to make turns from E. Johnson Avenue and N. Taylor and vice versa. It is difficult to make turns even with your personal vehicle. If there is a car parked, it will be pushed out of the way if there is a fire in the area to get the emergency vehicles through. He explained 7 feet is not adequate enough to get the fire department vehicles to get down through the roadways. There are plenty of other streets in the borough they have previously said should be alternate street or one side street parking.

Melissa Naylis, Bergenfield Volunteer Ambulance Corps. President, stated they are also in agreement for alternate side or one side street parking. The BVAC needs ease of access as the street is too narrow and they need at least 8.5 feet. They have to be able to open their doors, get their equipment and personnel out. It creates a traffic hazard and safety issue when cars are parked on both sides of the street. Ms. Naylis stated there was a motor vehicle incident just last week on East Johnson Avenue.

Ryan Shell, Office of Emergency Management Director, stated it's the width of E. Johnson Avenue that's the problem. He gets nervous whenever he hears E. Johnson Avenue on the radio because this a constant fight. He spoke with the board engineer earlier about his comments regarding the work site. They have

responded to, in the last several years, some extremely serious traumatic injuries that have happened on work sites, including Houses of Worship, due to the way construction vehicles are parked and equipment is staged. It has not been easy for them to gain access to the patient. He stated to stabilize the injured and physically not cause further injury is at the top of the mind of the Ambulance Corps. The further away the ambulances are, the more difficult it is. It's not the mosque. It's the street being narrow that is causing a life safety issue that the Mayor and Council needs to address.

Chairman Cabrera stated it has to do with the mosque as the expansion will have more inflow of traffic than the existing condition.

Abraham Saad, imam of the mosque, stated he has been the imam for three years and resides at E. Madison Avenue, Dumont with his family. This is the only mosque in Bergenfield. The expansion is to meet their essential needs for the current and existing congregation. They want to practice their religion with dignity. Their tradition is that the men and women pray separately. Currently, the first floor is for men to pray and the women are in the basement, even if there is just 1 woman. The problem is the ceiling is low and the elderly women and women with children struggle going down the steps to the basement. There are five daily prayers every day. It's been like that for the past 10 years. Another issue is that they don't have a secure, safe place for the kids especially during prayers. The expansion project will satisfy these needs. They don't have any weddings, funerals, or any other activities at the mosque. The mosque doesn't have the space for funerals or weddings. The imam stated they have daily, weekly, and yearly activities. There are five daily prayers during the week. The daily schedule is as follows: 5:30 am in the morning, about 20 minutes with approximately 20-25 people, midday prayer is at 1:15 pm, with 10-15 people the most, 5:30 pm afternoon prayer with 10-15 people maximum, sunset prayer with 25 people, and night prayer at 9:00 pm, approximately 25 people attend. There are approximately 20-30 kids that come for religious education, Koran classes for 1 hour three times a week between the afternoon and sunset prayers. Parents drop them off and pick them up when finished. The numbers mentioned are men. There are only a few women that come. The most number of congregants, approximately 115 men and women, attend on Friday afternoon, from 1:15-2:00 pm to the weekly service. There are just the prayers on Saturdays, no schooling or other activities. Any event would be on Saturday. There is Sunday school, religious education, on Sunday for the kids from 10:30am-1:15 pm from September to June. There are approximately 20-25 kids that are taught by volunteer teachers, ranging from 5 to 13 years old. There are just regular prayers on Sundays. There is no separate daycare. Community gatherings would be between sunset and late night prayer. It is the same schedule during Ramadan, except there is an additional 1-2 hours of prayer after the late night prayer that is until 10:30-11:00 pm. The imam stated in the new building, the men would pray on the first floor, women would pray on the second floor, and there would be a multi-purpose room for the kids in the basement.

Mr. Madaio stated there is no access to the second floor multi-purpose room from the existing House of Worship to the proposed second floor multi-purpose room. There is a small kitchen in the existing structure.

The imam Saad stated they order food for dinner and use the small kitchen to warm the food. They don't cook any food in the kitchen. They gather for anything that concerns the community. They do not rent out the House of Worship for any parties. He stated the existing usage, labeled on the plan as imam's bedroom, is an office to prepare speeches and if someone wants to speak with him privately. There is no fixed seating. The prayers take place on mats on the floor. There are some chairs in the back for the elderly who can't get on the floor. It's all open space. Parents are told to park legally when dropping off and picking up their kids. Communication is through WhatsApp and social media. Congregants are reminded on a weekly basis of the parking condition. They have a yearly event, like Christmas, that is two times a year, that is usually held on a Friday at 8:00 am.

Chairman Cabrera inquired if they expect an increase in the number of congregants once the expansion is completed.

Imam Saad stated they are just looking to meet the needs of and improve the quality of serving the existing congregation. The expansion will give them an opportunity to avoid having scheduling conflicts. They are willing to comply with all safety requirements.

Chairman Cabrera stated the next scheduled Zoning Board meeting is October 20, 2025.

Board member Wenger suggested having a special meeting to just hear this application.

Chairman Cabrera stated the hearing for this application will continue at the October 20, 2025 meeting. This will be the first order of business at the meeting. He thanked members of the police department, fire department, BVAC, and OEM present for their time and testimony.

**MOTION TO ADJOURN MEETING**

**Motion By:** Board member Smith

**Second By:** Board member Morel

**All present, voting in favor. None opposed.**

Meeting was adjourned at 11:06 pm.

Respectfully Submitted,



Hilda Tavitian, Clerk  
Zoning Board of Adjustment