

**BERGENFIELD PLANNING BOARD
REORGANIZATION & SPECIAL
MEETING MINUTES
March 4, 2026**

Chairman Robert Rivas called the meeting to order at 8:00 P.M.

OPEN PUBLIC MEETING STATEMENT

In compliances 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 himself/herself from participating in any discussion on this matter.

PLEDGE OF ALLEGIANCE

Led By Board member Familia.

OATH OF OFFICE TO APPOINTED BOARD MEMBERS

Joseph Picheo
Romeo Abenoja
Oriole Familia
Yehuda Bord

Oath of offices were administered by Mayor Amatorio.

ROLL CALL

Present: Mayor Amatorio, Joseph Picheo, Robert Rivas, Romeo Abenoja, Ernesto Acosta, Jason Bergman (arrived at 8:40pm), Oriole Familia, and Yehuda Borg

Absent: Councilman Thomas Lodato, Edgar Dimaren and Praveen Joseph

Also Present: Gloria Oh, Planning Board Attorney and Hilda Tavitian, Planning Board Clerk

Nomination of Chairman:

Robert Rivas

Motion by: Mayor Amatorio

Second by: Board member Abenoja

All present, voting in favor. None opposed.

Nomination of Vice-Chairman:

Jason Bergman

Motion by: Mayor Amatorio

Second by: Board member Familia

All present, voting in favor. None opposed.

Nomination of Secretary:

Ernesto Acosta

Motion by: Mayor Amatorio

Second by: Board member Abenoja

All present, voting in favor. None opposed.

Nomination of Board Attorney:

Gloria Oh

Motion by: Mayor Amatorio

Second by: Board member Abenoja

All present, voting in favor. None opposed.

Nomination of Board Engineer:

T&M Associates

Motion By: Mayor Amatorio

Second By: Board member Abenoja

All present, voting in favor. None opposed.

Nomination of Board Clerk:

Hilda Tavitian

Motion by: Mayor Amatorio

Second by: Board member Picheo

All present, voting in favor. None opposed.

Nomination of Board Planner:

Carried to Next Meeting

Accept By-Laws:

Motion By: Board member Abenoja

Second By: Mayor Amatorio

All present, voting in favor. None opposed.

Accept 2026 Meeting Dates:

Motion By: Mayor Amatorio

Second By: Board member Abenoja

All present, voting in favor. None opposed.

APPOINTMENTS OF STANDING COMMITTEES

Liaison to Board of Adjustment - Board member Bergman

Site Plan – Chairman Rivas and Board member Bergman

Master Plan - Mayor Amatorio, Chairman Rivas

Parking/Legal – Mayor Amatorio and Councilman Lodato

APPROVE MINUTES OF PREVIOUS MEETING – December 29, 2025

Motion By: Mayor Amatorio

Second By: Board member Abenoja

All present, voting in favor. None opposed.

CORRESPONDENCE

Letter received from PSE&G. Just advisory. No action required.

VERBAL COMMUNICATION

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

No one.

COMMITTEE REPORTS

- 1. Site Plan – No report
- 2. Parking Legal – No report
- 3. Capital Improvements – Mayor Amatorio stated the borough is renovating the bathrooms at Vivyen Field and in the design phase for the Coopers Pond building.
- 4. Master Plan – Mayor Amatorio stated the governing body needs to approve the 2025 reexamination report of the master plan.
- 5. Liaison to Board of Adjustment – No report

OLD BUSINESS

None.

NEW BUSINESS

- 1. Ordinance 26-2660 An Ordinance Amending Chapter 186 of the Code of the Borough of Bergenfield, Entitled “Land Development”

Chairman Rivas stated they elevate the ceiling of the basement 3 ft. above grade and start counting from there for the height of the building. It should start at grade. The ordinance doesn’t state that.

Board member Acosta stated sloping usually takes the average grade and agreed it should be measured from the grade.

Mayor Amatorio stated it’s written in the ordinance stated “for all single-family detached dwellings, the basement level shall not exceed a finished floor to finished ceiling height of ten feet.” The ten feet is the ceiling of the basement to the floor of the basement. It regulates the basement ceiling.

Board member Acosta stated if there is a certain height above the grade, it’s not considered a basement anymore, but is considered a floor. The building height is always measured from the grade.

Board member Picheo stated the ordinance refers to basements, you are talking about the height of a house. Grade will give you the height of the structure and where the basement sits relative to grade really doesn’t matter.

Chairman Rivas stated they are going past what is required for height. The recommendation is that the ordinance be clear as to where they start counting for height.

Board member Acosta stated height is 32 measured from the grade. The average from the four corners is taken if the grade is sloping. The basement height is in the land development manual they have.

Mayor Amatorio stated if this is the only issue, it can be written in a note that the ordinance was reviewed by the Planning Board and the only issue raised was where the grade was measured from. The ordinance will be discussed at the council meeting tomorrow.

Board member Picheo inquired if that’s in the ordinance the Board is reviewing. There is no bearing on the overall height of the structure.

Chairman Rivas stated his concern is if the ordinance doesn’t address it, then builders will be free to decide where they are going to start counting for the entire height of the building. His concern is with item #5 in the ordinance, “Existing basements that exceed the height limit of include a sub-basement many continue to lawfully exist as a non-conforming condition, but many not be increased in heigh of further excavated to create a sub-basement”.

Board member Picheo stated the way he interprets #3 in the ordinance is if they are considering the basement to exceed the 10 feet, then it should no longer be considered a basement. It is now a floor.

Mayor Amatorio stated the height of the building, for zoning purposes, will always be the grade level outside. He stated to measure the height of the building, the average from the four corners is taken if the grade is sloping. There already are existing regulations and consult on the existing ordinance that states the height of the building will be measured from the grade as defined in the current existing ordinance.

Motion to Recommend Approval of Ordinance 26-2660 As Is

Motion By: Mayor Amatorio

Second By: Board member Abenoja

5 ayes. 2 nays. 1 abstain.

2. Ordinance 26-2662 – Affordable Housing Ordinance

Mayor Amatorio stated this went to the borough attorney and was properly vetted before it was sent to the Planning Board. The Borough does not have any additional obligations this round and not under pressure to produce additional housing under COAH. They still owe from the previous round.

Motion to Accept/Endorse Ordinance 26-2662

Motion By: Board member Bergman

Second By: Board member Abenoja

All present, voting in favor. None opposed.

MOTION TO ADJOURN MEETING

Motion By: Board member Bergman

Second By: Mayor Amatorio

All present, voting in favor. None opposed.

Meeting was adjourned at 8:55 pm.

Respectfully Submitted,



Hilda Tavitian, Clerk
Planning Board