BERGENFIELD ZONING BOARD OF ADJUSTMENT
REGULAR MEETING MINUTES
September 14, 2026

Vice Chairman Wenger called the meeting to order at 8:05 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 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, Yitz Novak, Richard Morf, Gregory Martin and Diana Cifuentes

Also Present: Gloria Oh, Zoning Board Attorney, Antonios Panagopoulos, Zoning Board Engineer, Councilman Lodato, Council Liaison, and Hilda Tavitian, Zoning Board Clerk

Absent: Benedict Cabrera (Excused) and Jason Bergman

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.

Vice Chairman Wenger stated there has been some debate about the introduction normally given. There is a new introduction proposed by the Chairman who is absent today. The discussion and vote for the new introduction will be held until next month.

APPROVE MINUTES OF PREVIOUS MEETING – August 3, 2026
Motion By: Board member Smith
Second By: Board member Martin
All present, voting in favor. None opposed.

CORRESPONDENCE

Board member Smith stated he handed out to the Board members paperwork to review on ordinances regarding the required number of parking spaces and the number of bedrooms there are. He also handed out information regarding side yards, placement of generators, AC units, egress windows and wells on the property. He stated too many times the Board opens up a can of worms when variances are granted, and they have to be careful.

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

No one came forward.

OLD BUSINESS
1. Resolution: Eitan Selevan, 25 Sunrise Terrace, Addition

Ms. Oh stated one of the conditions from last month's meeting was certain plans had to be submitted to the Board engineer.

Board engineer Panagopoulos stated he had received a revised copy of the plan last Friday and did not have a chance to review it.

Board engineer Smith stated one of the conditions of approval was to have one of the bedrooms in the basement and egress window removed. However, in the revised plan submitted, the bedroom will be a playroom with a closet, which he has a problem with. The Board engineer should look at the plan before the resolution is approved. He couldn't read the plan on the computer. According to the ordinance, the plan is supposed to be a certain size. Mr. Smith stated he did not receive the hard copy until today.

Mr. Elliott Kolb stated the closet is shallow and is for utilities only. It can't be used for anything else besides that. The plans were submitted within the requested timeline. Full size plans were submitted and is obliging with the Board's requirements. Mr. Kolb stated everything that was requested by the Board was accommodated.

Board engineer Panagopoulos stated he wasn't at the last meeting. The plan shows a shallow closet for utilities. There may have been a closet facing the room that has been moved to the other side.

Motion to Carry Vote for Resolution to Next Month
Motion By: Board member Smith
Second By: Board member Morf
5 ayes. 1 nay.

2. Applications: 10 N. Washington LLC/Dr. Adam Palance
10 N Washington Avenue
Two Second Floor Apartments
Carried to October 5, 2026 Meeting

Lisa Escott
55 Regent Street
Addition
Carried from August meeting

Adam Lazaros, Prime Tuvel & Miceli, 1 University Plaza Drive, Hackensack, NJ, attorney for applicant, stated they were before the Board last month. It was the third time the applicants appeared before the

Board and his first time. They are proposing a one-story addition to an existing single-family house. Mr. Lazaros explained they are moving an existing deck and constructing a one-story addition in that area, and doing a new deck in the rear of the property. They are seeking variances in lot coverage and improved lot coverage for about 3%. The Board had stated during the last meeting that they had not received a full plan set with the existing and proposed floor plans as well as the site plan being updated. The corrections being made include removing the shed to show the existing parking. He stated four vehicles can easily fit in the driveway and one in the garage, providing 5 parking spaces. Mr. Lazaros explained because the end of the property is 7 ft. from the curb cut, the last 7 ft. of the driveway is technically not their property, and can only claim three legal, existing parking spaces. In actuality, there are five parking spaces on the site.

Vice Chairman Wenger stated they need to request a variance for the parking space.

Mr. Lazaros stated five parking spaces are required for eight bedrooms. They will request a variance for two quasi parking spaces. They can comply with the required parking spaces with the variance for quasi parking.

Board engineer Panagopoulos stated its half a space for 6 bedrooms, half space for 7bedrooms, and another half parking space for 8 bedrooms. There are five required parking spaces.

Board member Smith stated the ordinance states it's 0.5 parking space for each bedroom in excess of five bedrooms. You round up the number.

Board engineer Panagopoulos stated the last submission of plans are clearer than the previous sets submitted. There are eight bedrooms proposed.

Albert Zaccone, FAIA Architect, 6 Casson Lane, North Haledon, NJ, licensed architect, stated the plan shows the existing layout with the number of bedrooms. It is a split-level house with three levels. They are proposing two bedrooms in the basement. One of the bedrooms is underneath the proposed addition. There are a total of six bedrooms on the floors above, all on the second floor. Mr. Zaccone stated nothing on the second floor has changed. There is a bedroom included with the proposed addition, for a total of eight bedrooms.

Mr. Panagopoulos stated there never was a clear answer to the total number of bedrooms up until now. It was confusing to the Board members. The second bedroom from the bottom doesn't have a door to get in. He will need the details for the installation of the pervious pavers and the cut sheet. He confirmed the proposed engineer plan showing the stormwater is still part of the plan and inquired about the site access for the contractor. He inquired how they will get machinery onto the property. They may need to ask for access from the neighbors. The drainage will not be hand dug.

Mr. Zaccone stated they will provide a door. Mr. Zaccone commented that the deck will probably be hand dug. They will be accessing the property from the other side.

Vice Chairman Wenger stated should the variance be granted, it will be a condition for the applicant to work with the Board engineer.

Mr. Lazaros stated they already spoke with the neighbor on the left. There is an existing, working garage.

Questions from Residents withing 200' and Beyond:
No one came forward.

There are three variances being sought: parking for 2 spaces, lot coverage of 35.3%, where existing is 31.5% and 30% is permitted, and improved lot coverage is at 45.55%

Motion to Approve Application
Motion By: Board member Morel
Second By: Vice Chairman Wenger
3 ayes, 3 nays, 1 abstain

Motion to Carry to October 5, 2026 Meeting for a Vote
Motion By: Board member Wenger
Motion By: Board member Morel
6 ayes, 1 abstain.

NEW BUSINESS

1. Applications: Chris Naylis & Elise Brancheau
27 Brookview Terrace
Addition/Alteration
Advertised for 9/14/2026 Meeting
Attorney Requested Application Be Carried to 10/5/26 Meeting

Leah Moskowitz
3 Trinity Court
Proposed Addition/Alteration

Douglas Battersby, Battersby Architecture and Design, 4 Ramapo Valley Road, Oakland, NJ, licensed architect, stated they are proposing an addition in the rear of the house, including the first floor, second floor, and an unfinished basement. They are requesting improved lot coverage and lot coverage variances. There's also parking variances and some existing nonconformities listed in the engineer's review letter, some of which are part of their hardship. The lot is undersized and is in the R-5 zone where 5,000 sf. is required and currently is 4,823 sf. and is also under width. They are requesting 36.3% lot coverage, where 35% is allowed. The 36.3% represents 1,750 sf. of lot coverage, which would be allowed if it was a conforming lot. Mr. Battersby stated they are requesting improved lot coverage variance in which the house was purchased that way, they are requesting 46.1%. It's 44.4% currently and will increase coverage by less than 100 sf. Mr. Battersby stated they are proposing an oversized seepage pit. The addition being added is 697 sf., requiring a seepage pit of approximately 890 gallons. They are proposing a seepage pit of 2,260 gallons, 2 ½-3/4 times the size that's needed. He explained they will be removing the shed that has pavers and the wrap around walkway, and will put in pervious pavers to reduce the impervious coverage. Currently, the driveway is 15 ft. in length and 11 ft. wide. According to RSIS standards, it's technically 1 spot that is required. They are proposing to widen the driveway by expanding as far to the left they can to widen the driveway to 17 ft. to be able to fit two cars. He stated they are required to provide three parking spaces.

Board member Martin inquired about the location of the garage. The plan shows the garage being in the front of the house.

Mr. Battersby stated the only structure in the back of the house is a shed that's being removed.

Board member Smith inquired if there used to be a garage. He inquired when the house was purchased.

Mr. Battersby stated there might have been a garage before the applicant purchased the house.

Ms. Moskowitz stated they bought the house in 2021. The people that lived there before them were there for approximately 70 years.

Mr. Battersby stated he had helped the applicant with a project prior to them moving in and had measured the house prior to them moving in. There was a recreation type room space where the garage is. The building inspector had presumably walked through the house in order to issue the CO at time of purchase and had signed the paperwork stating the house conforms to the town's ordinances.

Vice Chairman Wenger stated they need to amend their application to include to request the pre-existing nonconforming variances.

Board member Smith inquired how far is the driveway from the property line. He inquired if there is an egress window in the basement. He presumes with an egress window in the basement, it's going to be a bedroom. Mr. Smith stated according to the ordinance, it has to be so many feet.

Mr. Battersby stated it's a few inches off the property line. Currently, part of the basement is unfinished. If the owner chooses to put a bedroom, they will file for a permit and it will be done properly.

Board member Morel requested clarification if the window well requires a variance now as the side yard encroachment is under 5 feet. Board member Morel stated the side yard setback is 7.8 ft. He inquired if the window well is considered in the side yard setback as it is 7.8 ft.

Board engineer Panagopoulos stated the application was submitted before the ordinance was passed, a variance is not needed. If the application was submitted today, then a variance would be required.

Board member Smith stated the side yard variance will be exaggerated even more if the window well is put in. Board member Smith stated the window well is always considered to be part of the foundation by the building department.

Mr. Panagopoulos stated the window well is not part of the setback area and was not clear. Now, it's clear in the way the ordinance is written. He explained if the application was submitted today, it would be a different answer. Most of the comments were addressed in the resubmission. Percolation testing would have to be done before construction.

Questions from Residents Withing 200' and Beyond:
No one came forward.

Board member Morel inquired if the credit for changing the concrete to pervious pavers was included in the calculation.

Board engineer Panagopoulos stated there was a miscalculation. They took 10%, but the details provided show 4.5% opening. The calculation would have to be revised. They will pick a paver system that will provide 10% openings, which would be a condition should the application be approved.

Motion to Approve Application
Motion By: Board member Morel
Second By: Board member Novak
3 ayes. 4 nays.

Reena Rosenberg Bloom
391 Wildrose Avenue

Proposed House Addition and Renovation

Chris Blake, 150 Engle Street, Englewood, NJ, licensed architect, stated they are seeking variances for side yard setback on the right side of 5 ft. existing and are proposing above and straight back, continuing the existing nonconforming. The setback on the other side is 5.1 ft. Nothing will be changed or done on that side. Mr. Blake stated the lot coverage is 30.33%, where 30% is allowed. The required impervious is 35%, and they are proposing 46.83%. It is a reduction of the current existing, which is 49.93%. They will be reducing approximately 220 sf. of impervious coverage. Mr. Blake stated they are proposing a one-story addition to the rear that will replace a larger deck. They will replace the concrete patio with a pervious paver patio. The addition will be 15.8 ft. x 12 ft., that will be a small family room off of the kitchen. The kitchen is relatively new and there are no plans to make any changes to the kitchen. Mr. Blake stated they are adding a master bedroom suite above the kitchen and dining room. The three bedrooms are on a level above the garage. It will result in expanding the existing nonconforming side yard setback straight back. The requirements for rear yard and front yard setback will be maintained. Some of the large front porch will be removed, resulting in more house and less impervious coverage. The driveway will be widened to be allow two cars to be parked side by side. The one-car garage will be maintained. There will be three parking spaces in total. The driveway will be 2 ft. off the property line.

Board member Smith inquired if they can use pervious pavers in the driveway to ger the lot coverage down.

Board engineer Panagopoulos inquired if they can also use pervious pavers for the patio in the back.

Jason Bloom, applicant, stated they will replace the patio with pervious pavers, but it will be more expensive to do the driveway with pervious pavers. Mr. Bloom stated they will make sure the right pavers are used.

Mr. Panagopoulos stated the plans show the regular pavers. It's labelled paver patio. There is nothing about pervious pavers, two totally different things.

Vice Chairman Wenger stated as a condition of approval, the items should be labelled as pervious pavers in conjunction with the Board engineer's recommendations.

Board member Smith inquired about the replacement of the old egress window and window well being replaced with new ones that is shown on the drawing.

Vice Chairman Wenger inquired if this submission pre-dates the ordinance.

Mr. Panagopoulos' response was yes, it was submitted in July. One of the comments was if they could shift the addition not to exacerbate the rear setback. He requested clarification why they would not be able to shift it over by 2 ½ ft.

Mr. Blake stated their intent is not to redo the kitchen. The room is less than 15 ft. in the interior and to shift it over would make it even smaller, making it useless. It's a hardship as they are up against the rear of the other setback. He stated the 3% reduction is coverage is from removing the existing porch.

Board member Morel inquired if pervious pavers will be used for both the patio and the driveway.

Mr. Bloom stated the driveway won't be pervious pavers, only the patio. The driveway will remain to be Macadam.

Mr. Blake stated the drawing is correct, showing a 3.1% reduction in impervious coverage, requesting 46.83%.

Board member Smith stated he would like to see it reduced more. There's going to be repercussions.

A five-minute recess was taken at 9:25 pm. The meeting resumed at 9:35 pm.

Mr. Bloom stated they will use pervious pavers for the driveway, also.

Mr. Blake stated the coverage will go down to 45.67%.

Questions from Residents within 200' and Beyond:
No one came forward.

Motion to Approve Application:
Motion By: Vice Chairman Wenger
Second By: Board member Novak
6 ayes. 1 nay.

Loren Helms & Abigail Christian
110 Somers Avenue
Proposed Second Floor and Single-Story Rear Addition

Loren Helms, member of LLC, owner and applicant, stated there are two existing nonconformities, the driveway and the front setback, which is 24.6 ft., where 25 ft. is required. They are proposing an extension in the back of the house and the second floor. They are keeping the line.

Board member Novak inquired if there is a reduction in the lot coverage.

Mr. Helm responded yes, they are removing the shed. They have owned the house since April 2026. There was no garage when they moved in.

Board member Smith inquired when was the garage removed. There was supposed to be a garage in the rear according to the listing on Zillow as he had gone to look at the house. The plan doesn't show a garage. All new additions are supposed to have a garage for parking. It looks there was a garage in front of the house that was turned into a room. He couldn't see beyond the dumpsters if there is a garage in the back of the house.

Ms. Christian, contractor, stated there probably was a garage 17 years ago. The listing of a garage could have been a mistake made by the listing agent. The property did not have a garage when it was purchased. Three vehicles can be parked in the driveway. Ms. Christian stated they are requesting variances due to a nonconforming condition. One of them is the driveway, which is butting against the property line by 1.5 ft. The front setback is 24.6 ft, and the required is 25 ft. She stated they are building on the left side where there is plenty of frontage. They are proposing to build a second-floor master bedroom addition. There are two existing bedrooms. Ms. Christian explained that they will be removing the enclosed porch on the first floor and make it an additional bedroom. The building coverage is 9.6% and lot coverage is 31.2% since there is an existing pool and existing pavers in the back.

Board member Smith read the denial letter from the zoning officer and requested that Ms. Christian address it.

Ms. Christian stated the addition on the second floor conforms with the required setbacks.

Board engineer Panagopoulos stated the addition is in the rear. The nonconformance is in the front yard setback. They are about ½ a foot short of the required 25 ft. front yard setback. He stated they are not exacerbating anything. The addition is going over an existing impervious surface, therefore not increasing any impervious coverage. Everything in the rear is either building or patio. He inquired if they would be able to reduce the 2 ft. side yard setback.

Ms. Christian stated they would rather not, but would comply if it is a condition.

Vice Chairman Wenger inquired what methods would there be if they reduced.

Board engineer Panagopoulos stated they could put grass, some landscaping, or stone there so that they are not parking on top of the neighbor's yard.

Ms. Christian stated they can put gravel. They are not building anything above and beyond what is permitted.

Board member Smith inquired about the size of the pool.

Mr. Helms stated the pool is 14.5 ft x 26 ft.

Mr. Panagopoulos stated they are not changing anything to affect the drainage. There's isn't anything that will change the drainage pattern.

Board member Cifuentes inquired if more parking is needed.

Ms. Christian stated there are three parking spaces.

Board member Morel inquired how many total bedrooms there will be.

Ms. Christian stated there will be four and a half bedrooms.

Mr. Panagopoulos stated there was no garage when he looked at Google Street View going back to August 2012.

Questions from Residents within 200' and Beyond:
No one came forward.

Motion to Approve Application:
Motion By: Board member Morel
Second By: Board member Cifuentes
7 ayes.

2. Additional October Meeting

Vice Chairman Wenger stated the applications were capped at four tonight and there is a back log of applications. He inquired if the Board members would be amenable to having a second meeting in October to clear some of them.

Board clerk Tavitian stated some proposed dates are: Tuesday, October 13th, Wednesday, October 14th, and Monday, October 19th, 2026.

All Board members agreed to October 19th, 2026 as the second October meeting and are all available.

Board member Oh stated the application with the tie vote was a denial. It can't be carried and voted on at the next meeting. Ms. Oh will inform the applicant's attorney.

MOTION TO ADJOURN MEETING
Motion By: Board member Novak
Second By: Board member Cifuentes
All members present, voting in favor. None opposed.

Meeting was adjourned at 10:03 pm.

Respectfully Submitted,

Hilda Tavitian

Hilda Tavitian, Clerk
Zoning Board of Adjustment