

**MINUTES OF THE ZONING BOARD OF ADJUSTMENT
SPECIAL MEETING
BOROUGH OF ORADELL
HELD REMOTELY UTILIZING “ZOOM”
MARCH 21st, 2022**

Chairman Michelman called the Zoning Board of Adjustment meeting to order at 7:30 p.m. Notice of this meeting was published in the official newspapers, prominently posted in the Borough Hall, and filed with the clerk in accordance with the requirements of the Open Public Meetings Act.

ROLL CALL:

Present: Mr. Bartlett, Mr. Degheri, Mr. McHale, Ms. Odyanski, Mr. Santaniello, Ms. McGrinder, Ms. Cobb, Mr. Michelman,

Absent: Mr. Barrows

Also Present: Mr. Regan, Esq.
Mr. Depken, Zoning Administrator
Mr. Atkinson, PE, PP, CME Board Engineer
Ms. Reiter, P.P., AICP Board Planner

Correspondence

None

Approval of Minutes

Approval of the February 23, 2022 meeting minutes

Ms. Cobb motioned to approve the minutes and was seconded by Ms. McGrinder.

ROLL CALL:

AYES: All in Favor

Memorialization of Resolutions

CAL# 850-20

W. Aly & M. Alegre

890 Oradell Avenue – Block: 502, Lot: 15

Mr. Michelman moved to adopt the resolution extending approvals and was seconded by Mr. Santaniello.

ROLL CALL:

AYES: Mr. Michelman, Ms. Cobb, Ms. McGrinder, Mr. McHale, Mr. Degheri, Mr. Santaniello, Ms. Odyanski

Applications

CAL. # 856-21

Block 113, Lot 5

66 Kinderkamack LLC

66 Kinderkamack Road

Mr. Michelman began by mentioning that the last meeting concluded with the deliberations of the Board members. He ~~on~~ went on to provide additional thoughts, noting that he struggled while

contemplating the pros and cons of the application. Mr. Michelman added that other developments within Bergen County do not limit themselves to 3 stories and in the event the application is not approved an even larger development could be proposed in the future. He added that the homeowners on Beverly Road who are victims of the contamination from the former car dealership may struggle with selling their homes in the future and the Board's approval will free them from the encumbrance. Mr. Michelman encouraged the other members of the Board to provide their thoughts.

Ms. Cobb stated that the D4 variance being requested by the applicant gives her the most pause. She went on to note that she appreciates the elimination of the PTAC units and the decision to enclosed the garage to accommodate the surrounding neighbors. Ms. Cobb emphasized that contemplating the application has been difficult, but concluded by stating that the benefits of the development for the Borough will outweigh any detriment.

Ms. McGrinder stated that she remains reluctant about approving the proposed development due to its size. She added that she feels badly for the contaminated properties on Beverly Road but does not feel that the project should be approved based on benefitting the neighbors.

Mr. Bartlett began by emphasizing that the applicant's counsel and professionals provided thorough testimony at the 4 meetings. He echoed the sentiments of the other Board members regarding reluctance based on the size, but recognized the benefits such as remediation along with storm water runoff reduction.

Mr. McHale stated that he views the underground parking as a benefit of the proposed development and affirmed that the existing vacant lot is an eyesore. However, he confirmed that he feels that the lot cannot accommodate the intended floor area ratio.

Ms. Odynski indicated that she is also hesitant about granting an approval based on the proposed size. She questioned how a structure that would cover the entire lot would improve the existing drainage conditions. Ms. Odynski concluded by recognizing the benefit of the project for the adjacent neighbors but emphasizing that she sees the size as an issue.

Mr. Degheri stated that Mr. Michelman summed up most of his thoughts, and that he feels the positive aspects of the application outweigh the negatives. Mr. Degheri noted that the drainage system proposed for the building may help to mitigate some flooding issues for the surrounding area. He concluded by acknowledging that it will be impossible for a developer to come along in the future and make everyone happy.

Mr. Santaniello stated that he would have liked to see more community facing businesses for the retail use on the first floor. He went on to recognize the beneficial fair share housing units along with the remediation for the adjoining residents. Mr. Santaniello concluded by indicating that he shares many of the same thoughts with his fellow Board members.

Ms. Schepisi requested a brief recess to consult with her client. Mr. Michelman stated that it is 8:15 PM and called for a break in the hearing.

Mr. Michelman reconvened the hearing at 8:20 PM.

Ms. Cobb moved to adopt CAL. # 856-21 with requested D, and C, variances, with all conditions previously stated in testimony and was seconded by Mr. Degheri.

ROLL CALL:

AYES: Mr. Degheri, Mr. Santaniello, Ms. Cobb, Mr. Michelman

NAYS: Mr. McHale, Ms. Odynski, Ms. McGrinder application is DENIED

Discussion of Return to Live Meetings

Mr. Michelman shared his screen to display a spreadsheet he created to track the total COVID-19 cases throughout the United States and Bergen County, New Jersey. Based on the current figures on the chart being comparable to that of flu season, Mr. Michelman asked the Board members to consider how they should meet moving forward. Ms. Cobb stated that she is eager to return to in person meetings. Mr. Santaniello stated that he would also be happy to return to in person meetings but Zoom has allowed the Board members to conveniently view the presentation. Mr. Degheri added that he also finds it valuable to view the presentation on screen rather than the easel. He went on to question if the screen technology could be replicated in an in-person forum. Ms. McGrinder raised the question of if more people view the meetings since it is more convenient to watch from home utilizing Zoom. Mr. McHale agreed that the presentations on screen are more helpful and noted that there has been more public interaction. Mr. Regan stated that he is torn on the subject and 4 of the 8 towns he works for are meeting in person. He noted that individuals can more easily participate via Zoom and has noticed that there are more Zoom attendees than live attendees. Mr. Degheri asked Mr. Regan if people who are out of Town would still be allowed to comment via Zoom, as they would not be able to do so at an in-person meeting. Mr. Regan confirmed that individuals who are out of the area are permitted to comment on Zoom despite their location. Mr. McHale stated that one of the applicants was in another country during the Zoom meeting for a generator on their property. Mr. Michelman asked if Zoom meetings will ever be prohibited. Mr. Regan replied that he does not see the State of New Jersey ever banning Zoom meetings. Mr. Depken stated that the Zoom meetings have run ran very smoothly and encouraged participation from the public. Mr. McHale added that older individuals who struggle with technology may have difficulties with the Zoom forum. Mr. McHale asked Mr. Depken how the Planning Board will be meeting to which Mr. Depken replied that they will be meeting in person. Mr. Michelman asked Mr. Atkinson to provide his thoughts. Mr. Atkinson stated that he is open to whichever option the Board is in favor of, but added that he appreciates the convenience of Zoom. Mr. Atkinson moved on to note that screen technology in council chambers would be an effective way of combining Zoom techniques and in person comradery. Ms. Reiter stated that she agrees with Mr. Atkinson, and the other Boards she works with are having similar discussions regarding how to proceed. Mr. Michelman asked Mr. Besink, the OPTV coordinator, to weigh in on the technology aspect of future meetings. Mr. Besink stated that he has looked into options which combine a live meeting with Zoom, but at this time there are no means established in council chambers. Councilman Kern stated the Mayor and Council are convening in the multipurpose room until the work in council chambers is complete. Mr. Kern added that a projector of some sort would be helpful in council chambers and the Mr. Michelman could benefit from a municipal computer. Councilman Kern went on to request that the Zoning Board prepare a formal correspondence to the Mayor and Council incorporating their recommendations for updated technology. Mr. Michelman called a vote to determine if the Board will return to in person meetings without upgraded technology. Mr. Bartlett, Mr. McHale, Ms. Odynski, Ms. McGrinder, Ms. Cobb and Mr. Michelman indicated they would like to return to in person meetings while Mr. Degheri, and Mr. Santaniello indicated that they would like to continue utilizing Zoom until additional technology is provided. Mr. Michelman asked Mr. Degheri and Mr. Santaniello if they will still join the in-person meetings despite their feelings regarding the lack of technology. Both indicated that they will join and Mr. Michelman stated that the Board will resume meeting in Borough Hall. Mr. Regan asked Mr. Depken if any applications have been submitted for the April meeting to which he replied no. Mr. Michelman stated that if the only item for the next meeting will be the denial resolution, then the April meeting should take place via Zoom. All of the Board members were in agreement with the suggestion.

Old Business

None

New Business

None

Mr. Michelman opened the meeting to the public for any matters.

Mr. Michelman closed the meeting to the public.

Motion to adjourn was made by Ms. Cobb and seconded by Ms. McGrinder, all in favor.

The meeting was adjourned at 9:02 P.M.

Secretary