

Approved 4/9/14

**WORK SESSION OF THE
TENAFLY PLANNING BOARD
MARCH 12, 2014**

Vice Chairperson Allen called the meeting to order at 8:00 p.m.

The announcement was made regarding compliance with the Sunshine Law.

The secretary was asked to call the roll:

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| Voting members present: | Mayor Peter Rustin | Councilman Jon Warms |
| | Kevin Tremble | Gus Allen |
| | Jeffrey Toonkel | Marc Harrison |
| | Eugene Marcantonio | Sheryl Gaines |

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| Board members absent: | MaryBeth Wilmit | Ted Kagy |
| | Eugene Kwon | |

Others present: Jeffrey Zenn, Esq.

A motion was made by Mr. Marcantonio and seconded by Mr. Harrison to approve the Work Session Notes of February 12, 2014, and the Regular Public Meeting minutes of February 26, 2014. A voice vote carried the motion. All voted in favor; none were opposed.

OLD BUSINESS

There was a brief discussion regarding information which had been distributed regarding the Draft of the Conservation Overlay Zone Ordinance. Board members will review this information and discuss this topic at another meeting in the near future.

CORRESPONDENCE

An email dated February 27, 2014 had been received from Borough Clerk Lissette Aportela-Hernandez with request from Historic Preservation Commission for the historic designation of 53 Knickerbocker Road. Planning Board attorney Zenn noted that this is not a public hearing on the matter this evening. He noted that he had given approval for Mrs. Nicolosi to distribute a letter dated October 8, 2013, from David Watkins, Esq., who is representing the homeowners of the subject property. Also distributed was a summary given by Mr. Watkin's associate, Mark Greenberg, Esq. at a recent Mayor & Council Meeting. Board members had also previously received a copy of the Designation Report prepared for 53 Knickerbocker Road.

Mr. Zenn reviewed the criteria needed for designation. The board is to review all documentation distributed and make its determination regarding landmark status. The Historic Preservation Commission is recommending that the entire parcel of property be designated. Board members discussed the timing of the entire process and community vs. property owners' rights.

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A motion was made by Mr. Marcantonio and seconded by Mr. Harrison to recommend to the Mayor & Council that only the house be designated. The roll was called and the motion failed. Voting YES: Mr. Toonkel, Mr. Harrison and Mr. Marcantonio. Voting NO: Mr. Allen, Mr. Tremble, Mrs. Gaines, Councilman Warms and Mayor Rustin.

A motion was made by Mrs. Gaines and seconded by Mr. Tremble to recommend that the entire property at 53 Knickerbocker Road be recommended for Landmark Status pursuant to the Borough of Tenaflly Code 35.807.7 as it pertains to "Designation of Landmarks and Historic Districts". The roll was called and the motion carried. Voting YES: Mr. Allen, Mr. Tremble, Mrs. Gaines, Councilman Warms and Mayor Rustin. Voting NO: Mr. Toonkel, Mr. Harrison and Mr. Marcantonio.

Mr. Tremble thanked the Planning Board for its input on the above matter. Mrs. Nicolosi will prepare a memo for submission to the Mayor & Council with the board's recommendations.

Board members reviewed a memo dated 2/26/14 from Borough Clerk Lissette Aportela-Hernandez re: Ordinance to amend Chapter 35 of the Revised General Ordinances of the Borough of Tenaflly, entitled "Land Development Regulations" and more particularly: Amending Section 35-703 authorizing the Waiver of Site Plan Review and Approval.

Board members reviewed the proposed ordinance and recommended against it because of the vagaries left to the Zoning Official's determination about whether an application proposes "any change or a material expansion of the most received approved use", particularly with what constitutes a material expansion.

A motion was made by Mrs. Gaines and seconded by Mr. Marcantonio to have Mr. Zenn prepare a memo to Borough Attorney Bill McClure outlining the board's concerns. A voice vote carried the motion. All voted in favor; none were opposed.

A motion was made by Mr. Harrison and seconded by Mrs. Gaines to adjourn the meeting at 9:45 p.m. A voice vote carried the motion. All were in favor; none were opposed.

Respectfully submitted,

Valerie B. Nicolosi
Planning Board Secretary