

Approved 12/9/15

**REGULAR PUBLIC MEETING OF THE  
TENAFLY PLANNING BOARD  
OCTOBER 28, 2015**

Chairwoman Mary Beth Wilmit 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:

Voting members present:	Mary Beth Wilmit	Gus Allen
	Jon Warms	Mark Harrison
	Gene Marcantonio	Ted Kagy
	Sheryl Gaines	Eugene Kwon
	Councilman Zinna	Mayor Peter Rustin

Voting members absent: Kevin Tremble

Others present: Jeffrey Zenn, Esq.  
David Hals, P.E.

A motion was made by Mr. Allen and seconded by Mr. Marcantonio to approve the minutes of the Special Public Meeting of August 12, 2015 with a minor typographical change, the Regular Public Meeting of August 26, 2015, the Special Public Meeting of September 9, 2015 with a minor typographical change and the Regular Public Meeting of September 16, 2015. A voice vote carried the motion. All eligible members voted in favor; none were opposed.

A motion was made by Mr. Warms and seconded by Mr. Allen to approve the minutes of the Closed Session of the Special Public Meeting of September 9, 2015. A voice vote carried the motion. All eligible members voted in favor; none were opposed.

**PUBLIC HEARING**

**PB# 1-15-09**, Major Subdivision w/variances

Block 602, Lot 10

29 Knickerbocker Road

**Applicant: D. Schwartz, R. Harband & P. Kesselen**

Mr. Zenn stated that the hearing this evening is to address the waiver request and then determine the completeness of the application. Mr. Elliot Urdang is the attorney for the applicant. Mr. Urdang explained that his client is requesting preliminary approval for the waivers on the checklist in order to determine if they should proceed with the application as presented and whether the Board will permit a four (4) lot subdivision. If the Board doesn't approve these waivers, the applicant may consider revising this application. Mr. David Hals, Planning Board engineer, was sworn in to give his testimony.

The waivers requested are for Checklist item #6, 33(c), 41 (a, b), 44 (f, g, h), 45, 48 and 50. These items are for the specific design of the new street and utilities for the development. They also include the stormwater management design, sanitary sewer design, roadway cross-sections, lighting and shade trees.

Mr. Hals referred to his review letter dated September 14, 2015 reiterating that he has no objection to the granting of the Checklist Waivers, provided the application is bifurcated into two (2) parts. First, the Board hears the application for the subdivision and variances. If these are granted, then the design items (missing checklist items) would be submitted and a second hearing be held including the Soil Moving Application.

Mr. Urdang stated that if the Board approves the requested waivers tonight, his client will present the appropriate plans at the next Planning Board meeting scheduled for Wednesday, November 4, 2015. Mr. Zenn and Mr. Hals explained to the Planning Boards members that by granting the requested waivers tonight, they will still have the ability to review the entire application during the public hearing. The application will still be subject to various conditions dictated by the board; and the applicant would still have to return for final subdivision approval.

A motion was made by Mr. Marcantonio and seconded by Mr. Harrison to grant the requested waivers deeming the application complete, continue the hearing to November 4, 2015 at 8:00 p.m. and to bifurcate the application into two (2) parts. The roll was called and the motion carried. Voting YES: Mrs. Wilmit, Mr. Allen, Mr. Warms, Mr. Harrison, Mr. Marcantonio, Mr. Kagy, Mrs. Gaines, Mr. Kwon, Councilman Zinna and Mayor Rustin.

## **COMMITTEE REPORTS**

Mayor Rustin will contact Mr. Wok to discuss the board's holiday dinner scheduled for Wednesday, December 16, 2015, after its Public Meeting. Details will be forwarded to all.

Councilman Zinna gave the Board an update on a few issues discussed by the Mayor & Borough Council. The Borough will not directly purchase the property at 53 Knickerbocker Road. Mr. Perez, a Tenafly resident, is meeting with the owner representative and council representative. He will retain the mansion deeming it historical and possibly at a later date sell the additional property to the Borough to be used as a park. At the last Mayor and Council meeting, they were informed the BID is considering disbanding. The question that must be investigated is what happens to the funds in their trust account. Once more information is gathered, an official decision will be made. Lastly, the Mayor and Council voted to endorse the new Housing Element and Fair Share Plan. Mrs. Wilmit requested clarification from Mr. Zenn regarding the Case Management Orders received from Mr. Buzak's office. Mr. Zenn explained by submitting our Housing Element and Fair Share Plan, Tenafly is ahead of the pack and in good shape.

A motion was made by Mr. Marcantonio and seconded by Mr. Kagy to adjourn at 8:55 p.m. A voice vote carried the motion. All voted in favor; none were opposed.

Respectfully submitted,

Christine Attanasio  
Acting Planning Board Secretary