

Approved 5/26/10

**SPECIAL PUBLIC MEETING OF THE
TENAFLY PLANNING BOARD
May 12, 2010**

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:

Voting members present:	Mayor Rustin	Councilman Jon Warms
	Gus Allen	Jeffrey Toonkel (8:30 p.m.)
	Kevin Tremble	Eugene Cho
	Mark Zinna	Steven Greene

Voting members absent:	Mary Beth Wilmit	Marc Harrison
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Others present:	Jeffrey Zenn, Esq.
	David Hals, P.E.
	Janice Talley, Borough Planner
	Dee Lorberbaum, MLUL Officer

It was noted that Chuck Lipson resigned from the Tenafly Planning Board via letter to Mayor Rustin this afternoon.

A motion was made by Mayor Rustin and seconded by Mr. Tremble to approve the minutes of the Regular Public Meeting of April 28, 2010. All voted in favor of the motion; none were opposed.

PUBLIC HEARING

PB#1-09-14 – Site Plan/Variance

Block 1005, Lot 17 - 18 Piermont Road
(Axia Restaurant) - Applicant, Michael F. Parlamis

Mr. Michael Parlamis was present at the meeting and was sworn in to answer any questions from board members. He proposes to construct a second floor dining room addition and a first floor kitchen addition to the existing restaurant building. The addition will increase the seating for the restaurant from 120 seats to 156 seats.

A handicapped ramp is proposed on the northerly side of the building. This ramp replaces the lift in the rear of the building. The handicapped parking space is being relocated to the front of the site, near the start of the ramp. The proposed ramp reduces the width of the drive aisle of the parking lot from 26.2' to 24.7'. Relocating the handicapped parking space reduces the number of parking spaces on-site from 23 spaces to 22 spaces.

It was noted that there are two variances required. In 2006, the Board granted Site Plan approval for a building addition and parking lot improvements. The application in 2006 required 45

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spaces and 23 were provided. This application increases the parking demand for the site from 45 spaces to 54 spaces. A variance is required from Article 35-804.1 Schedule C for 9 parking spaces.

Also, as referenced above, the proposed ramp reduces the width of the drive aisle of the parking lot from 26.2' to 24.7'; therefore a variance is required for the reduced aisle width as 25' is required.

The meeting was opened to the public to question Mr. Parlamis. There being no one from the public with questions, this portion of the meeting was closed to the public. The meeting was open to the public to comment on the entire application. There being no one from the public with comments, this portion of the meeting was closed to the public.

A motion was made by Mr. Cho and seconded by Mr. Zinna to approve this application with the variances stipulated above. The roll was called and the motion carried. Voting YES: Mr. Allen, Mr. Tremble, Mr. Cho, Mr. Zinna, Mr. Greene, Councilman Warms and Mayor Rustin.

PRESENTATION

Mr. David Wall, Chairperson of the Tenaflly Historic Preservation Commission introduced members of the commission here this evening to review its Draft "Policy Review of the Historic Preservation Plan Element of the Master Plan of the Borough of Tenaflly". In attendance were Rita Heller, Mario Turchi, Paul Stefanowitz and Karen Neus, who would be making a presentation to the board.

Ms. Neus gave a brief presentation on the commission's efforts, which encompassed a year of review, to bring about this draft report for our board's review. This report is on file in the Office of the Planning Board for review.

She explained some of the recommendations from the commission, highlighting several as follows:

- Designate additional landmarks and historic districts which are identified but not currently designated by local ordinance (Appendix Table 3 of report)
- The first priority for designation of additional landmarks should be properties listed on Tables D and E of the Open Space and Recreation Plan.
- Work with the Planning Board to expand Table D Conservation Overlay list to include the following properties: Knickerbocker Road North 50; 53 and 68 Knickerbocker Road and Knickerbocker Road South: 465, 511, 523, 533 and 539 Knickerbocker Road.

- Recommend that West Railroad Avenue become a focus of the downtown historic district, reaffirming HPC recommendations, researched by David Wall, which originated in 2001. The downtown commercial district should be listed on the National Register of Historic Places to help these property owners to take advantage of the Federal Investment Tax Credit for Rehabilitation and/or façade easement donations.
- Work with the Tax Assessor and the Building Department to ensure that both of these departments have complete information in their databases on all properties listed in Appendix Tables 2 and 3 of the report. Check this information yearly or as new properties are designated as landmarks and historic districts.
- Work with the Planning Board to amend the Historic Preservation Ordinance to permit the THPC to review demolition and comment on major alteration of any property that appears on Appendix Table 3 of the report.
- Investigate whether a portion of the rental income from the Railroad Station and from taxes paid on the Demarest Lyle house can be placed into a Preservation Trust fund to pay for further maintenance and repair on the Railroad Station, and other public landmarks. Work with the Mayor and Council to set up criteria for how these funds should be allocated each year.

Ms. Talley, the Board's Planner, noted that this report will need to be discussed further by the Planning Board. She will then prepare for the board's recommendation an amendment to the Historic Preservation Element of the Master Plan for adoption.

Ms. Neus noted that the commission had drafted a letter to be mailed to residents with an introduction of the Historic Preservation Commission noted that they live in a house of historic value and/or district. Mayor Rustin asked that the governing body be permitted to review the letter before it is sent to homeowners.

Chairman Allen thanked Ms. Neus for her presentation and all board members for their attendance this evening. Ms. Talley will draft a report for the board for review at a future meeting.

There was much discussion on the memo from Borough Clerk Nancy Hatten re: Ordinance No. 10-14/Rescind Ordinance No. 08-16/Establish a Parking Trust Fund. The Mayor & Council wish to rescind the parking trust fund ordinance that the Planning Board had previously forwarded to them and which they had approved in 2008. The Borough Council is requesting that the new ordinance be reviewed by the Planning Board for "identification of any provisions in the proposed development regulation, revision or amendment which are inconsistent with the master plan and recommendations concerning these inconsistencies and any other matters as the board deems appropriate."

The Planning Board had requested that the Mayor & Council permit 30 days to evaluate and examine the ordinance. Mr. Zenn reported that he had not received requested information from Borough Attorney McClure. There is still a lawsuit pending against the Borough regarding the

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Trust Fund. There may still be a problem because the borough doesn't have a Capital Fund Improvement Program in place. Board members were of the opinion that the Mayor & Council should rescind the original ordinance and the issue will be revisited in the future. A motion was made by Mr. Greene and seconded by Mr. Zinna to recommend to the Mayor & Council that it approve Ordinance No. 10-14/Rescind Ordinance No. 08-16/Establish a Parking Trust Fund even though it is inconsistent with the Borough's Master Plan. A voice vote carried the motion. All voted in favor; none were opposed.

A draft of the Land Development Regulations will be ready for discussion at the next meeting.

The Re-Examination of the Master Plan Committee met on Monday and will have a second meeting in early December. Ms. Talley will be working with Messrs. Allen and Toonkel, Borough Administrator Jewel Thompson-Chin and Department Heads in the next several months. Ms. Talley will provide a list of questions for discussion.

A Green Design resolution will be ready for review at the next meeting.

A motion was made by Mr. Cho and seconded by Mr. Greene to adjourn the meeting at 9:48 p.m. A voice vote carried the motion. All were in favor; none were opposed.

Respectfully submitted,

Valerie B. Nicolosi
Planning Board Secretary