

Approved 8/22/12

**REGULAR PUBLIC MEETING OF THE
TENAFLY PLANNING BOARD
July 25, 2012**

Chairperson Wilmit called the meeting to order at 8:05 p.m.

The announcement was made regarding compliance with the Sunshine Law.

The secretary was asked to call the roll:

Voting members present:	Mayor Peter Rustin	Councilman Jon Warms
	Mary Beth Wilmit	Gus Allen
	Eugene Marcantonio	Kevin Tremble
	Jeffrey Toonkel	John Kim
	Ted Kagy	Sheryl Gaines

Board members absent: Marc Harrison

Others present:	Jeffrey Zenn, Esq.	David Hals, P.E.
	Joseph Burgis, Borough Planner	Bob Byrnes, Zoning Officer
	David Novak, Asst. to the Borough Planner	
	Dee Lorberbaum, MLUL Officer	

A motion was made by Mr. Kagy and seconded by Mr. Marcantonio to approve the minutes of the Regular Public Meeting of June 27, 2012. A voice vote carried the motion. All voted in favor; none were opposed.

A motion was made by Mr. Marcantonio and seconded by Mr. Allen to approve the Resolution of Approval for Christopher and Renee Arp and Vijay Kapadia and Youngmi Kwon, Block 1904, Lots 1 and 2, 78 Coppell Drive and 90 Coppell Drive. A voice vote carried the motion. Voting YES: Mrs. Wilmit, Mr. Allen, Mr. Marcantonio, Mr. Kim, Mr. Kagy, Mrs. Gaines, Councilman Warms and Mayor Rustin.

The board discussed the application for the Tenafly Diner. An email had been received from Mr. Elliot Urdang, who is the attorney for the applicant, requesting that the application be carried to the August public meeting. A motion was made by Mr. Allen and seconded by Mr. Kim to carry this application to the August public meeting and/or the September public meeting depending on scheduling. A voice vote carried the motion. All voted in favor; none were opposed.

Mr. Allen, Chair of the Planning Board Permitted Use Committee thanked his fellow committee members Mrs. Gaines, Mr. Toonkel, Councilman Warms as well as Mr. Bob Byrnes, Zoning Officer, and Mrs. Lorberbaum, for their extensive efforts on this project. It was noted that Mr. Norman Dorf of the BID was present for the meeting this evening. Mr. Allen presented a memo to the board members this evening for review.

There was a brief discussion by the board on this very extensive memo. Board members would like more time to review the content. Mayor Rustin suggested that comments be made prior to the public meeting in August. He further suggested that the Mayor & Council hold a special meeting to discuss this proposal, the 2 family ordinance and the proposed changes to the density

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requirements for assisted living. The Borough Planner will be asked to be in attendance at this special meeting as well to provide his guidance and input.

Mr. Joe Burgis, Borough Planner, gave a brief summation of the contents of the permitted use committee report. When discussing fast food restaurants, he suggested that the board incorporate language that specifies no drive-ins, no squawk box and specific design stipulations. He noted that a 7-Eleven in Montvale is designed architecturally so as to give it a different look to fit in with the streetscape. He will be working on a report for the permitted use committee to add definitions as well.

SITE PLAN WAIVER

PB#1-12-10, Waiver for Change of Use

Applicant: Christopher Brymer/New York Music School, LLC
Block 1701, Lot 18, 90 County Road

Mr. Paul Golden is the architect for the applicant. Mr. Christopher Brymer is the manager of New York Music School, LLC. The applicant proposes to open a music school with studio rooms for private lessons and practice in a space that was previously occupied by a real estate office. The exterior of the building will stay the same. There will be new signage. It is anticipated that there will be three or four instructors. Students will mostly be dropped off for lessons or practice sessions. Mr. Brymer noted that he has a verbal agreement with the bank across the street to use the parking lot after hours.

A motion was made by Mr. Marcantonio and seconded by Mr. Toonkel to approve this application with the stipulation that revised plans depicting parking be submitted to the Planning Board Engineer for his approval. The roll was called and the motion carried. Voting YES: Mrs. Wilmit, Mr. Allen, Mr. Tremble, Mr. Toonkel, Mr. Marcantonio, Mr. Kim, Mr. Kagy, Councilman Warms and Mayor Rustin.

The applicant may proceed at his own risk. The resolution will be memorialized at the next scheduled Planning Board meeting. The applicant was requested to submit four copies of the approved plan to the MLUL Officer for distribution to Borough professionals and inclusion in the municipal jacket.

There was much board discussion on the State's taking of unspent COAH funds. There will be a meeting with Mayor Rustin, Mr. Allen, Borough Administrator Thompson-Chin and COAH Counsel Stuart Koenig within the next few days to prepare the Borough's response to the State. Mayor Rustin advised the Planning Board that the Borough is positioned extremely well given that the funds for the special needs housing project on Tenaflly Road have been moved to a Capital Fund account. The Borough also has an approval from the State for its Spending Plan. Mr. Tremble congratulated those involved with the process of bringing about this housing complex.

Mr. Hals prepared a draft of a letter which should be sent to the DEP urging its approval of the DEP application submitted for the Kim property at 311 Tenaflly Road. A motion was made by

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Mr. Allen and seconded by Mr. Tremble to send the letter as written. Mrs. Lorberbaum will handle on behalf of the Planning Board.

There are no applications at this time. A motion was made by Mr. Allen and seconded by Councilman Warms to cancel the Work Session of August 8, 2012. A voice vote carried the motion. All voted in favor; none were opposed. Mrs. Lorberbaum will prepare and post the appropriate notice.

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

Respectfully submitted,

Valerie B. Nicolosi
Planning Board Secretary