

Approved 7/25/12

**REGULAR PUBLIC MEETING OF THE
TENAFLY PLANNING BOARD
June 27, 2012**

Chairperson 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:

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| Voting members present: | Mayor Peter Rustin | Councilman Jon Warmes |
| | Mary Beth Wilmit | Gus Allen |
| | Marc Harrison | Eugene Marcantonio |
| | John Kim | Ted Kagy |
| | Sheryl Gaines | |

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| Board members absent: | Kevin Tremble | Jeffrey Toonkel |
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| Others present: | Jeffrey Zenn, Esq. |
| | David Hals, P.E. |
| | Dee Lorberbaum, MLUL Officer |

The board discussed the application for the Tenafly Diner. It is recommended that this application be dismissed without prejudice as it is over a year old and no action has been taken. Mr. Elliot Urdang, who is the attorney for the applicant, and was in attendance at the meeting for another applicant, requested that the board permit him to speak again with his client before the board makes its decision on dismissal. Mr. Urdang will send a letter regarding the matter which will then be placed on the next working agenda.

Mrs. Wilmit distributed certificates to Ted Kagy and John Kim for the successful completion of the Land Use Law course required for all Planning Board members. Congratulations!

PUBLIC HEARING

PB#1-12-08 – Minor Subdivision

Applicants: Christopher and Renee Arp and Vijay Kapadia and Youngmi Kwon
Block 1904, Lots 1 and 2 – 78 & 90 Coppel Drive

Mr. Elliot Urdang is the attorney for the applicant. The owners of 78 and 90 Coppel Drive propose to transfer a rear portion of 78 Coppel Drive to the rear of 90 Coppel Drive. The properties are located in the R-10 Residence Zone District. Both properties are conforming lots with the zone district requirements. The proposed application is classified as a minor subdivision. No new lots are created with the subdivision.

Mr. Chris Lantelme is the engineer for the applicant. He gave his credentials to the board and was qualified as an expert in the field of engineering. He reviewed the plans previously submitted to the board.

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There was some discussion regarding the possibility of a pool being built on that transferred property. One could be built but would have to conform to Borough codes. Mr. Urdang noted that the ruinous fence shown on the plans is to be removed.

There is a frame shed shown on the plans. It was noted that pursuant to a memo from Bob Byrnes, Zoning Officer, a permit was never issued for that structure. Mr. Urdang advised the board that a permit has been applied for as noted.

Board Engineer David Hals noted that everything he had requested of the applicant has been completed to his satisfaction.

There was some board discussion regarding Farnum Court which abuts the property. It was suggested that a restriction be placed in the resolution to prohibit a driveway being built from the transferred property onto Farnum Court.

Mr. Christopher Arp, owner of 90 Coppell Drive, was sworn in to give his testimony. It is his intention to use the rear of his property as a playground for his children. He will remove the ruinous fence as previously discussed. He intends to leave the fence in the rear of the property as it is continuous from the neighboring property. There was some discussion about removal of the fence which fronts Farnum Court.

The meeting was open to the public to question both Messrs. Lantelme and Arp. There being no one from the public with questions, this portion of the meeting was closed.

A motion was made by Mr. Allen and seconded by Mr. Marcantonio to approve the minor subdivision application as presented. The roll was called and the motion carried. All voted in favor; none were opposed. Voting YES: Mrs. Wilmit, Mr. Allen, Mr. Harrison, Mr. Marcantonio, Mr. Kim, Mr. Kagy, Mrs. Gaines, Councilman Warms and Mayor Rustin.

Mr. Allen reported that the Use Committee had met for approximately 1 ½ hours last week. In attendance were Mr. Allen, Mr. Toonkel, Mrs. Gaines, Councilman Warms, Mrs. Lorberbaum and Mr. Byrnes. No one from the BID was in attendance although notification had been made of the meeting. Changes are being made to Schedule A. Mr. Allen noted that office space use will now be permitted on the first floor in both the B1 and B2 zones. Second and third floor apartments will be permitted in both B zones. Mr. Burgis, Borough Planner, will send a report prior to the July 25, 2012 meeting for review of all the changes proposed. Mr. Hals was directed to work on amending the zoning map for the project. Mrs. Lorberbaum will provide the board members with red-lined copies of the report for review.

Mayor Rustin noted that the 2 family ordinance is on the agenda for July 10th. There will be preliminary discussion. Questions will be forwarded to the Planning Board for discussion at the July 25, 2012, meeting.

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Messrs. Harrison and Toonkel have conflicts on the evening of the BID meetings. Mr. Allen is available and will continue to serve on the BID Committee. Board members are urged to help out by attending a meeting when possible.

Mayor Rustin announced that he had spoken to Borough Planner Joe Burgis seeking requests for development on South Summit Street.

Mayor Rustin noted that additional paperwork is being forwarded to Trenton regarding DEP approval on the Tenaflly Road property. United Way is set to purchase the property once all approvals are in place.

It was noted that there are no new or pending applications to be scheduled at this time. A motion was made by Mr. Marcantonio and seconded by Mr. Allen to cancel the Work Session of July 11, 2012. Mrs. Lorberbaum will handle notice.

A motion was made by Mr. Kagy and seconded by Mrs. Gaines to go into Closed Session to discuss pending litigation. A voice vote carried the motion. All voted in favor; none were opposed.

The Board returned to the public hearing.

A motion was made by Mrs. Gaines and seconded by Mr. Kim to adjourn the meeting at 9:53 p.m. A voice vote carried the motion. All voted in favor; none were opposed.

Respectfully submitted,

Valerie B. Nicolosi
Planning Board Secretary