

Approved 11/28/12

**JOINT MEETING OF THE
TENAFLY PLANNING BOARD AND BOARD OF ADJUSTMENT
OCTOBER 10, 2012**

Vice Chairman 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 Peter Rustin	Councilman Jon Warms
	Gus Allen	Kevin Tremble
	Jeffrey Toonkel	John Kim
	Eugene Marcantonio	Ted Kagy
	Sheryl Gaines	

Board members absent:	Mary Beth Wilmit	Marc Harrison
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Others present:	Jeffrey Zenn, Esq.	David Hals, P.E.
	Joseph Burgis, Board Planner	Dee Lorberbaum, MLUL Officer
	Beth Lippman, BID Director	Norman Dorf, BID President
	Jeffrey Levine, Board of Adjustment	
	Jeff Grossman, Board of Adjustment	
	Tim Farrell, Board of Adjustment	

Mayor Rustin welcomed everyone here this evening for this joint meeting of the Tenafly Planning Board and Tenafly Board of Adjustment. Several members of the BID were present as well.

The meeting was opened to the public for comments. Mr. Mark Feldman, 133 Lylewood Drive, voiced his concerns regarding the proposed 7.5/7.5A zoning ordinance. It was noted that the Master Plan seeks to limit the intensity of use throughout the Borough. The Re-Examination Report of the Master Plan indicated that this matter wasn't being addressed.

The meeting was closed to the public for comments.

It was noted that no minutes were included in the packets sent home to board members. Minutes from the Regular Public Meeting of September 19, 2012, will be approved at the next meeting.

Mr. Hals explained his memo of January 5, 2011, regarding proposed revisions to the Land Development Ordinance covering building height and combined side yard. The Planning Board would like to recommend these revisions to the Mayor & Council again.

It was suggested by members of the Board of Adjustment that the Planning Board look at regulations regarding generator placement. The board agreed to pursue this matter.

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Mrs. Gaines and Mr. Allen explained the draft of Proposed Ordinance No. 12-TBD/An ordinance amending Chapter XXXV (Land Development Regulations) of the revised general ordinance of the Borough of Tenafly, Schedule 1 Schedule of Permitted Uses, Definitions and Schedule C – Off Street Parking Space Schedule.

She reiterated that the intent of the Planning Board was to update Schedule A Permitted Uses because the schedule is long overdue for an update, not having been revised since the 1980's. The number of permitted uses is being expanded and the committee would like to speed up the process to obtain approvals. She reviewed all the changes/deletions and proposed amendments in the document. Most notably, she explained that offices will be permitted on the first floor of buildings in the downtown and apartments will be permitted on the second floor.

Ms. Robin Brown, a member of the public, addressed the board. She noted that she does not believe there is adequate parking for shoppers. Mayor Rustin noted that the Mayor & Council would be reviewing the parking ordinance shortly. He commented that commuter parking not used after 10:00 a.m. may be open to shoppers.

It was noted that there is a proposal to take over a parking lot for use as a practice soccer field. Members of the BID who were present expressed concern about the loss of parking. Mr. Toonkel commented that he had discussed this proposal with many businesses and the response was one of enthusiasm.

There was much discussion regarding the Site Plan Waiver application. Board members had voted at its last meeting to delete that section of the recommendations to the Mayor & Council, which would have turned the process over to the Zoning/Construction Official. Both the Board Engineer and Board Planner commented that other towns use this process. Having a Site Plan Waiver application process permits the Planning Board to address such matters as paving, building condition and property maintenance issues. It was suggested that perhaps business owners/landlords be given up to three (3) years to make improvements. Board members wish to implement this revised procedure.

There was some discussion regarding offices on the first floor. If too many businesses are non-retail, the downtown may begin to resemble a business park. The proposal of permitted uses includes fast food. The parking schedule was amended as well.

Ms. Lippman commended the Planning Board and the Permitted Use Committee for the extensive efforts addressing the downtown area and business uses.

Cell towers were discussed again at length. Mr. Farrell, Board of Adjustment member, suggested that since modern technology is quickly changing, the cell tower might become obsolete and the Board might consider not placing cell towers as a conditional use in the P Zone. If the Board does permit this, regulations would need to be specific for this conditional use. There needs to be another

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Permitted Use Committee meeting to address the comments/revisions this evening. A revised draft will be presented at the next public meeting.

A recommendation to amend the Land Development Regulations, Section 35-604 b. Technical Review Escrow Deposits was sent to the Mayor & Council on March 29, 2012. No action has been taken at this time as the Borough Attorney has not yet drafted the language for the ordinance. This recommendation is to charge applicants who request a work session be converted to a public meeting \$500.00. Zoning Board members noted that fees for professionals are collected in the case of a special/additional meeting. The fee is \$1,000.00.

Mayor Rustin gave a brief presentation covering the pedestrian study which had been done of the downtown. Phase 1 suggested that two (2) pedestrian plazas be created in the downtown area. A trial may be done in the near future closing off designated streets. NJ Transit must approve the project. Grants will be sought to cover the costs of implementation of these closures. There was much discussion regarding the traffic light patterns for the downtown and surrounding areas.

Mayor Rustin thanked all Board of Adjustment and BID members for their attendance and input at this evening's meeting.

There were no committee reports.

A motion was made by Mr. Marcantonio and seconded by Mr. Tremble to adjourn the meeting at 9:54 p.m. A voice vote carried the motion. All were in favor; none were opposed.

Respectfully submitted,

Valerie B. Nicolosi
Planning Board Secretary