

**SPECIAL MEETING OF JUNE 29, 2005**  
**Fair Lawn Senior Center**

Mayor Ganz called the meeting to order at 7:18 p.m.

**PRESENT:** Mayor Ganz, Deputy Mayors Etlar and Weinstein, Councilmembers Caan and McCarthy.

**ALSO PRESENT:** Manager/Municipal Clerk Kwasniewski, Assistant to the Municipal Clerk Van Kruiningen and Attorney Lustgarten.

**ABSENT:** Assistant Municipal Clerk Bojanowski

**PRESENTATION BY BURGIS ASSOCIATES**

Mayor Ganz welcomed everyone to the Special Meeting presented by Burgis Associates covering Daly Field, Archery Plaza and Hayward Tract. The Council engaged Mr. Burgis who is a very well respected planner for the purpose of entertaining its vision which is to have a green Daly Field.

Deputy Mayor Weinstein stated the goal of the subcommittee was to keep Daly Field green and allow some development. He added as far as green they mean some kind of recreational facility.

Councilmember Caan stated he was looking forward to seeing the presentation.

Joe Burgis, President of Burgis Associates and Bridget Bogart were in attendance to give the presentation.

Mr. Burgis apologized for the delay due to problems with the projector. He stated they are not the planners for the Borough. They were brought in as special planners to evaluate the 11.88 acres that Mayor Ganz spoke about and identify a variety of different planning options for the property.

They had three specific components. First that they be respective of the historic character of Radburn and recognize its development pattern and development intensity and recognize the surrounding developments in the immediate and general vicinity of the property. Second they were asked to prepare a concept plan with two specific elements in mind, one being a residential component and second a component that would keep Daly Field green. Third, they were obligated to meet with other stockholders to make sure they got their perspective. They had the opportunity to meet with the Council's subcommittee including Councilmember McCarthy, Deputy Mayor Weinstein and Manager/Municipal Clerk Kwasniewski. They also met with Louise Orlando and June Meyerson and a number of other people. After those meetings they had subsequent follow up calls.

Mr. Burgis explained what they were going to hear from Bridget is a historical overview and a variety of different planning options for the property.

Bridget Bogart explained they have 18 slides and will have boards for everyone to look at when the presentation is done. She explained the presentation as Radburn: a Town for the Motor Age. Radburn, History of a Garden City with the idea of to bring together the economic and cultural advantages of both city and country living and to discourage the metropolitan sprawl and industrial centralization. Radburn was a planned community designed in 1929 and follows garden city concept. Radburn is designed around a "Green Heart" and the main concept was to keep it as pedestrian friendly as possible and permit children to walk to school and playground without crossing main roads. The five essential design components were the superblock, specialize blocks, complete separation of pedestrian and automobile and a park as the backbone.

Ms. Bogart explained the plan along with a slide show of illustrations. The subject site is 11.8 acres located on the southwestern section of Radburn. It is situated between Fair Lawn Avenue and Route 208, Plaza Road and the Railroad. The planning analysis was to assess the propriety of the various development scenarios that were to respect the history of the Radburn community and incorporate the essential design components that were the foundation for its design. The Planning issues were deed restrictions, contamination of the site and National Landmark status. The National Landmark status is the highest recognition that the U.S. Department of Interior gives an historic property and is based on the historical significance.

Ms. Bogart stated the design opportunities and constraints were to maintain Daly Field, integrate a continuous pedestrian green way, enhance existing landscape entry features, incorporate the proposed bike route and respect the narrow width of the northern width of northern portion of site. She explained the surrounding land use pattern and their planning concepts to establish a "Green Heart", compliment the surrounding land use pattern, establish pedestrian paths separate from vehicles and create stronger connections to the commercial district on Fair Lawn Avenue.

Ms. Bogart explained Concept One included Daly Field and two soccer fields, 86 dwelling units which would include 30 townhouses and 56 apartments. Concept Two included one baseball field and one soccer field, 106 dwelling units which would include 50 townhouses and 56 apartments. Concept Three included two baseball fields and one soccer field and 88 dwelling units which would include 32 townhouses and 56 apartments.

Ms. Bogart summarized the presentation and explained the next step was to prepare the necessary implementation ordinances to implement design concept that is selected as the preferred design. She added these regulations will incorporate the necessary area and bulk provisions, as well as any necessary design standards to implement the plan recommendations.

Mayor Ganz thanked them for the presentation. He appreciated that they have looked at alternatives but the objective is to keep Daly Field green.

Deputy Mayor Etler had no comment.

Deputy Mayor Weinstein agreed with Mayor Ganz.

Councilmember Caan agreed with Mayor Ganz but wished to hear what the public thinks.

Councilmember McCarthy agreed with Mayor Ganz and explained from the start their position was they believed Daly Field should remain green.

### **MISCELLANEOUS PUBLIC COMMENTS**

Upon motion by Deputy Mayor Weinstein and a second by Councilmember Caan, it was unanimously agreed to open the time for public comments.

Mrs. DiGeranamo one of the components of Smart Growth is smart conservation and wanted to know why they have not mentioned it. She stated here they have a Nationally Historical dedicated park and a deed restricted park. She asked why they have not created a park.

Mr. Burgis stated the concept of Smart Growth encompasses many things and is not necessary limited to the Paterson, Camden and Newark's of the world. They have been involved in Smart Growth projects in other municipalities that are far from Paterson. Although he agreed with Ms. DiGeranamo about recreation and conservation components are parts of Smart Growth principals there are many others principals incorporated in this projects. He explained Smart Growth encourages mixed use development near commercial centers and this includes that. It also encourages compact community design and believed this design is consistent with that component. Smart Growth encourages incorporating development near mass transit and immediate accessibility to mass transit. He explained this does that and many other elements of Smart Growth. He felt although she may differ with type of recreation amenities they have provided, they cannot lose sight of the fact that these proposals do ensure the preservation of Daly Field with all the components that Ms. Bogart mentioned. Beyond all that they need to recognize their charge was very specific to find a residential development while at the same ensuring the preservation of Daly Field. They did take that charge one step beyond what the Council asked them to do. The Council specifically referenced Daly Field but in their design and analysis they felt that relocating Daly Field to the center of tract with certain design elements that enhanced the project as whole was better planning, so they went out on their own and came up with Concept Design Two.

Mrs. Digeranamo asked if it was the Council that requested that they have a development. Mr. Burgis explained they were initially approached about putting together a proposal with

three elements. First was to protect and reinforce the Historic Radburn Community Concept. Second was to ensure the retention of Daly Field and third was to meet with all the stakeholders involved to make sure they had a broader perspective.

Maureen Moriarity, 14 Burnham Place felt there are two completely different perspectives of what Smart Growth is in New Jersey. The Department of Environmental Protection would say that it is not smart to take your last parcels of property and develop it. They developed a program called Green Acres so that municipalities have a choice of whether to do that. She understood what they were saying about Smart Growth. Everyone should understand that Smart Growth has two different perspectives. They cannot use Smart Growth as one definitive catch all.

Arlene Rubinstein, 28 Rutgers Terrace asked the planner if they used Archery Plaza in configuring the density of the apartments. She asked if they were aware that is deed restricted and they cannot use it. Mr. Burgis explained they did mention they knew that in the beginning of the presentation and knew they could not do anything without dealing with that deed restriction.

Craig Miller, 5 Ramapo Terrace asked about part of the proposal where they had Daly Field where it is as green. They also had a parking lot and asked if they are gaining access by the Ambulance Building and asked if they knew there was a cell tower there and is very little space for two cars to pass on either side. Ms. Bogart explained they provided the parking lot for additional parking for recreations. Each concept they have is designed parallel parking along Berdan Avenue and Plaza Road to actually narrow the width of Plaza Road because Plaza Road is extremely wide. She explained this would allow additional parking for the recreational component. One issue of Plaza Road, although they have measured it, it is a typical roadway with about 24 feet, each isle being 12 feet wide and Plaza Road is in excess of 24 feet. She explained what that does is give the visual perception that people can travel down this roadway faster. One idea behind narrowing a roadway width to just the 24 feet is to slow down motor vehicle and makes the roadways more pedestrian safe and make people aware that this is not a highway environment.

Jane Diepeveen, 14 Ryder Road stated the planner knew they would have to deal with the deed restriction on Archery Plaza. Radburn could sell it to Fair Lawn but it would have to be recreational area. She did not know how they thought they would be able to deal with that but would be interested to know. She asked them if they met with Landmark Associates, which is one of the stake holders, who own Hayward Tract. She asked what the overall density of this project is with or without Archery Plaza.

Mr. Burgis stated the deed restriction is a legal issue between Radburn Association and the Radburn community. He stated if the restriction is not lifted then none of this happens. Mr. Burgis stated they have not met with Landmark Associates, however, when the contract was announced in the Bergen Record they received a phone call from them. Since then he has spoken with their attorney.

Mr. Burgis stated the density is 9.1 units per acres including all 11.8 acres but they did not do the calculations subtracting Archery Plaza. Ms. Bogart stated she tried to do some research on density within the Radburn community and how this would compare. Everything she read about Radburn regarding density indicated they pull up the apartments and determine it based on the development of lots. She tried to pull up the parkland and see how they compare. In concept one because the parkland is so extensive it actually ends up a higher density than concept two even though concept two has more volume. She added as an overall perspective both of these concepts are at a density of nine billion per square acre which is consistent with a single family development in Radburn.

Kathy Moore, 13-16 Plaza Road stated she bought a house on a park called Archery Plaza. She stated other people in Radburn bought their house on AB park and her park. They are not planning on putting townhouses on the parks behind them. She felt this was a terrible precedent to allow their historic parks to be built on. She was very open minded to a plan that includes recreation for the town but this is heart wrenching. She felt there was some kind of horse trade, Daly Field is being kept green but no one lives around Daly Field. She stated the one thing that has not come up was about the Department of Environmental Protection, she lives in one of the homes that is being tested by them right now. She received the good news that her indoor air sampling shows no contamination. Underneath her house, however, seems to be quite polluted and all eleven houses are being retested. If they start digging up this soil that has not been remediated and moving the ground water around, what might happen to her house that right now is safe.

Ms. Moore felt they were putting the horse before the cart even discussing this right now. Why would they even consider putting new homes when the eleven that are there now may not even be safe. She felt they should not talk about development until this is all cleaned up.

Harvey Rubinstein, 28 Rutgers Terrace asked how high would the four story building be. He asked if any of the stakeholders say anything about the Municipal Land Use Law. They have an ordinance that calls for Hayward Property as a private residential property with roughly four homes that could go there according to them. He also stated the smallest street in Fair Lawn is a 30 foot street so how are they going to get a 24 foot street on what is almost a highway which is what they call Plaza Road.

Mr. Burgis stated the height would be 50 feet and they did look at the Master Plan and zoning ordinance. The zoning ordinance does designate the site, the Master Plan talks about multi family residents and the density of it. He added there is an inconsistency between the zoning ordinance and the Master Plan. Mr. Burgis stated the roadway could be as narrow as 24 feet and in some instances 20 feet, general rule of thumb is 24 feet for a residential street. He was not sure what the right of way on Plaza Road is, whether it is a County road or not typically they find roads in this area to be 50 feet in width. They only see part of it because of sidewalks so they do have the conventional 50 foot wide right of way width and there is a lot of dimension to deal with to design a concept that Ms. Bogart mentioned.

Robert Goulach, 4 Bancroft Place stated that this deeply disappointing plan is not what the people of Fair Lawn want. He applauded the Mayor and Council for sticking up for what they asked for which was keeping Daly Field green. He added the second concept has to be thrown out. Archery Plaza has a deed restriction that cannot simply be tossed away by the Radburn Trustees. He added everyone who lives in Radburn has an interest in Archery Plaza. They cannot dispose of it without giving notice, asking permission and homeowners have a right to veto it. He stated the people who live in Radburn have no interest in selling this property and no interest in betraying the 11 families that live on Plaza Road. They have invested 1/4 million dollars or more in homes with the understanding that they would have parks behind their house not giant apartment complexes.

Mr. Goulach stated the major thing that is wrong with this plan is and why it has nothing to do with what the people of Fair Lawn want. The people of Fair Lawn have attended two public meetings to go on the record about preserving public space in Fair Lawn and the need to avoid building 100 or more homes in the center of town which is enormously overcrowded in terms of traffic. They do not want new homes adding to the traffic at the worst intersection in town. The people of Fair Lawn came to these meetings and over and over again almost everyone of them minus a few Radburn Association spokesmen have spoke against developing this area. They all want to preserve green space and minimize traffic. He added 2,200 people signed a petition to protect Daly Field and hundreds more have lined up to sign the petition to start an open space tax fund. He felt it was obvious the people of Fair Lawn want open space and do not want over development. There was meeting in June where they had an open forum and unlike this form where the planner comes in and tell them what they have in mind for Fair Lawn but rather the people of Fair Lawn were able to give their suggestions. The people of Fair Lawn came up with creative notions of what they would like to see done.

There are wonderful things that could be done with this area.

Paul Shansky, 905 High Street stated the charge that was given to the planner was to find a mixed use of the this. All the presentations referred to as what was best for Radburn and keeping the character of Radburn but it was never mentioned what was best for Fair Lawn as a whole. He felt there needs to be a revaluation in term of all these parcels of land.

Donal Meyers, 8-22 Mayfair Terrace stated Burgis was given the charge to develop. He added he does not live in Radburn but has watched the open space in this town be given away to developers. He did not know how they planned to get around the deed restriction because it gives property rights to the property owners of Archery Plaza. The only way that could happen was if that property was condemned. He added if they were given a green light for everyone of their concepts involving developing Archery Plaza they would have had to have been told by this Council that deed restriction would be lifted through condemnation. He addressed the Council and stated they are Democrats, and they are supposed to be dedicated the Democratic idea of open space and conservation. He felt they should be ashamed of themselves.

Edward Trawinski, 3-33 Lyncrest Avenue stated he was here as the attorney for concerned citizens for the future of Radburn, a former Planning Board attorney and Mayor of Fair Lawn and as a private citizen. He added he does not live in Radburn but is a resident of Fair Lawn. He shared Mr. Meyers concerns about open space. He felt they should look to the neighbors in Ridgewood and see how their Borough Council in a unanimous worked together with the residents of Ridgewood to preserve the sable. They took a leadership role.

Mr. Trawinski stated this Mayor and Council are the elected leaders and asked them on behalf of himself, the things he knows as a former planning board attorney and most importantly on behalf of his clients that they show that leadership role. Instead of going out and spending any more tax dollars on consultants go and talk to trust for public lands. He added lets talk to them about how they can lay out program that they can acquire all three parcels and make some sense out of preserving open space. Then the Council can go ahead and perform their duties in setting the priorities as to whether or not it is better to develop that space or try to acquire it. He felt they should listen to the options that are out there on the other side of the issue. He added he takes no issue with Mr. Burgis, he is a fine planner and has worked with him and against him and had no doubt he did his charge. He felt Mr. Burgis was misguided and a piece of his charge as to ever bringing in a deed restricted land because he shared that restriction with him very early on in this process. Mr. Trawinski stated he had already spoken and alerted the Environmental Association of New Jersey, Trust for Public Lands, New Jersey Conservation Foundation and Sierra Club that there is possibility that may be occurring in Fair Lawn. They have indicated that they would join instantaneously in any lawsuit because they believe that setting aside a deed restriction when property is restricted for open space would be a dangerous precedence to set in the State of New Jersey. He added he has never heard the Council say that they are lifting that deed restriction but asked them to come out publically and indicate that they do not favor lifting that deed restriction and that they would not institute any action to try to have it lifted.

Mr. Trawinski stated in respect to any development plans he has discussions of DEP and remediation but did not hear any indication to what level of remediation. He stated they can remediate property to residential standards or less than residential standards. They need to be sure if they are talking about any activity there that these properties are going to be remediated to residential standards. He added they may not even depending on the level remediation that takes place be allowed to place residential on that property.

Mr. Trawinski stated the part of this that is a bit troubling, yet positive on the one hand he is asking the Mayor and Council to act like the leaders of this town and go out and explore the other option of preserving this. He added at the same time they have acted as the leaders of this town in exploring the options of preserving Daly Field while allowing development elsewhere on the other two pieces of properties. The part that troubled him was why not have all of this process originate where he felt the Land Use Law originates which is the Planning Board. They are the people who are supposed to be doing these things in the first instance. The Planning Board has been the subject of several requests

by himself on behalf of his client to temporarily repair the Master Plan because of the

inconsistency between the current zoning and the Master Plan. It seemed to him that they are the ones who have the best site on what is taking place particularly where they have lived and breathed various issues with respect to this for a number of years.

Felice Koplik, 6 Reading Terrace attended last night's Council meeting and thanked the Mayor for reporting on the newly acquired landmark status of Radburn. She was hoping the Council would understand the meaning of the landmark status is. It includes Daly Field, Hayward Tract and Archery Plaza which has a deed restriction on it and she was hoping that this would be shared with Burgis Associates. She did not see that was the case or the concern on the part of the Mayor and Council. It seems the Mayor and Council is being either pressured or going along with the developers in taking this landmark and destroying it and possibly given Fair Lawn a chance of losing this landmark before they have had a chance to recognize that it is here. She pleaded to the Council that they be strong and go along with everything they have been saying about wanting to save Daly Field. This is more than just saving one Daly Field, it is looking at the entire community and remembering and understanding the density of Radburn is not 9 units per acre but about 4.5 units per acre. She added they have to add the parks in to it, because if they did not add the parks it would not be Radburn and the whole concept of the garden community would not exist. They need to strongly consider they have a national historic landmark and respect it or it will be taken back and that would be a loss to the world not just Fair Lawn.

Louise Orlando, 12 Barlington Place stated the landmark status for Radburn is based on a study of the creation of city housing corporations idea for Radburn. The status includes the entire parcel as industrial use. She stated in 1934 there were no ballfields there. She stated nothing is going to happen to the landmark status as a consequence of anything that is done. Landmark status does not mean that it is stagnate and that nothing can ever be changed within a landmark but it recognizes what was planned by city housing and designated by city housing as of time of their demise in 1944. She added at that time that entire parcel was considered to be for a commercial, industrial use.

Ms. Orlando ensured everyone that the Radburn Association is taking every step necessary to assure that the cleanup of the Hayward Property, Archery Plaza and Daly Field will be to the highest of residential standards. She stated with respect to the Trust of Public Land they negotiated a deal for Ridgewood for the purchase of the Horse Farm. The residents of Ridgewood are paying 5 million dollars of the 7.2 million dollars of the purchase price.

Louis DiGeranamo, 16 Beekman Place commented on the historical remarks and accuracy of the designation. He was asked for his input at the hearing by Parks Service which reconsidered the configuration of the landmark area. He stated it does not include Archery Plaza which is protected by issues of the deed restrictions. Archery Plaza is part of the national register that came before the landmark designation. He explained what is included in the landmark is the designation of Radburn as it was designed and ended in 1933. The designation of the landmark registration which was adopted in 1974 us 1947

as the correct date. The landmark designation does include Daly Field and Hayward property and specifically is based upon the use of Daly Field as a ongoing open space, recreational area. That is the basis for its inclusion.

Eric Schultz, 14 Radburn Road found it interesting that Radburn allowed this commercial area to be named Daly Field as the sign says. He asked who was Daly Field was named after and believe it was Charles Daly. He felt if it was named after this man it probably had some significance so why is it now this man is no longer considered important. He felt it should be considered that Charles Daly was important at some time and how has that importance decreased now.

Paul Shasky 9-05 12<sup>th</sup> Street attended his first meeting for concerned citizens of Radburn the beginning of the month and felt there is an atmosphere in the general population that people think things are done deals. He stated when he read about it in the paper that is what he thought and was not in favor of it. He has been a resident for 25 years and has seen land being sucked up for development and that is not what most people in town want. He explained as he has attended more of these meeting he has seen there is a greater opposition to it. He felt there was an excellent opportunity for the Council to display initiative and to repel some of the worry by saying everything has to be for development. He felt what is best for the town is more open space, mixed use, ballfields and once those things are gone they are gone. He appealed to the Council to look at other options and do what is best for the residents of Fair Lawn and not just for Radburn.

Jane Diepeveen, 14 Ryder Road stated depending on the business someone suggested maybe a business should go on this site. It is very easy for a business to add a lot more traffic than apartments and townhouses. The League of Women Voters did a study on this, and determined that the amount of traffic that would have been added by Landmarks proposals would be a minute percentage because the traffic on Plaza Road is already very heavy. She stated they can see all the access rite of way on the developed side of Plaza Road. Archery Plaza contrary to what is being said does not extend behind all 11 homes on Plaza Road. It extends behind about half of them. She felt people are very emotional and she tried to stick to the facts and wished to get on the record what the facts are. The Hayward Tract extends behind some of those houses.

Ron Kole, 10 Ramapo Terrace stated Ramapo Terrace is directly across from the edge of the Hayward Property and he has lived there for 39 years. He stated every morning when he left for work he held his breathe as the traffic came around Plaza Road that he could make the left turn and not make it all the way to George Washington Cemetery in Paramus. He knows people who live on the adjoining lot who dare not make the left turn because they do not have the extra 150 feet. He stated as a property owner on the corner where he lives has a hedge above two feet he ends up making a right turn and going around and around because he cannot see in the daytime a car coming in that direction. He added he spent many days playing in Daly Field with his children, people who are here tonight in softball leagues and so on. There was no traffic light and no safe crossing. They would stand on the corner of Rutgers Terrace or Ramapo Terrace, look both ways and ran fast just to make it across. Now they are talking about putting parallel parking on that

street and felt that was ludicrous. They are talking about the property that faces the Hayward property and Daly Field so with all due respect for all the planning they did maybe no one stood on the corner and watched what actually happens there. He added the S

bend on Plaza Road was put there to slow down the traffic into the community so kids would not get run over when they crossed the street to play at Daly Field. That was before all the fine suspension and rapid automobiles that come around that turn at 45 mph. He stated if they have a stretch of about 350 feet at 40 mph it would not take much to get run down. He felt at some point someone needs to say it is time to stop.

Kathy Moore, 13-16 Plaza Road thanked everyone who suggested that the contaminated site on Archery and possibly on the private properties be remediated. She added no one told her about the contamination four years ago when she bought her house which was after the budget letters went out to homeowners in regard to litigation on Archery Plaza. She was shocked when she received a letter from the DEP and more astounded when she learned her homeowners association knew about this since at least 1995. They certainly knew about it in 2001 after they had spent lots of legal fees and even took a settlement, however, the Manager and Board said nothing to her. These individuals are obviously not concerned about her or her neighbors. These same people sold Daly Field and are not kicking and screaming here as loud as they should be about even thinking about developing on Archery Plaza. She asked the Mayor and Council to strip those people of their power and let the citizens of Radburn decide what is best for Radburn.

Arlene Rubinstein, 28 Rutgers Terrace attended all the meetings of the Planning Board, Zoning Board, the Council and felt enough was enough. It is time to stop spending taxpayer dollars on consultants that will give them the answers that maybe individuals want but not the whole community. She felt it was time they listened to the community as a whole and did what they were elected to do which is serve Fair Lawn.

Craig Miller, 5 Ramapo stated on one of the slides in the presentation they showed a green way going from Daly Field to Topps Cleaners. He added on the other slides he did not see the same green way. There are townhouses and apartments right down the middle of that parcel of Hayward but there is no curb from Daly Field to Topps Cleaners. He asked if the bike route they were proposing where Cooper Avenue is does that continue on to Berdan Avenue. He added if so that is a scary intersection with cars going at excessive speeds and felt that was just a deathtrap. He stated he was at a Radburn meeting of the community and when they asked members of the board what their decision was they all kept saying they should sell Daly Field. When they were kids and their kids now all have played on Daly Field and Archery Plaza. They have forgotten that and want to sell and build townhouses.

Mayor Ganz stated the bike path was chosen by the Environmental Commission and the reason they are picking that intersection because there is a traffic light which is designed to make it safe. Ms. Bogart pointed out where the pedestrian pathway would be.

Harvey Rubinstein, 28 Rutgers Terrace stated a developer came to town and bought a piece of land. This was an experienced developer who knew the rules and regulations.

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They should let them go to the Planning Board and Zoning Board and plead their case to them. If it requires going to the Courts then let them go to the Courts. He felt this was ridiculous. Mr. Trawinski keeps appearing asking to fix the Master Plan and nothing seems

to be getting done. Let this developer act in the way that any other developer would act when they come in. The Mayor and Council know the rules and it is time they act upon them.

Walter Wagline, 18 Ramsey Terrace quoted Joel Schwartz from Landmark Associates who said "the larger public policy question is what is the best use of this site, there is a train station 1000 feet away. You can play baseball anywhere but you cannot always walk to a train station, you have to make choices".

Don Meyers, 8-22 Mayfair Terrace stated preserving open space is not a waste of taxpayers dollars. The ratables that they think will be generated from developing the little bit of open space that is left is a false addition to the Borough Budget. He added after the buildings are built and the kids are in the schools, there is no gain. This will end up costing just as much as whatever ratables generate in taxes. This community needs open space and there is not much left of it left in Fair Lawn. He added as a taxpayer he is willing to pay whatever bit extra has to be paid or even a lot extra to preserve whatever open space is left. He felt a lot of people felt that way because open space is an option that just has not been explored yet. If they are going to have planners, go back to the drawing board and come up with new concepts. They should be charged with considering open space equally with development not just development being the only option.

Maureen Moriarity, 15 Burnham Place expressed her disappointment. She stated the majority of this community does not want this kind of density in housing on these properties. She stated the total purchase price of the property in Ridgewood was 7.2 million of which 5 million was not bonded for that purchase so it was less than that. She felt Ms. Orlando makes things sound like it is a burden on the taxpayers. Twenty municipalities in Bergen County have local open space taxes because the people want to preserve open space.

There being no further comments, upon motion by Deputy Mayor Weinstein and a second by Councilmember Caan, it was unanimously agreed to close the time for public comments.

#### **CONCLUDING COUNCIL COMMENT:**

Deputy Mayor Etler stated both the presentation and comments were very interesting. He was concerned about density and development. He had some preconceived ideas and some of them are changing somewhat but in the end no one should misunderstand that this is private property. He added to gain all this property to make a central park would be a considerable commitment from the Borough of Fair Lawn and that is something for everyone to think about.

Deputy Mayor Weinstein stated he listened to everyone and taken notes but was not ready to make any comments at this time.

Councilmember Caan stated this is the first time he had seen any of these plans as well as everyone else. He stated this all started with a plan from Landmark that was totally unacceptable to everyone in the community. He explained the Council was trying to bring in another point of view from a planner from the outside without a preconceived concept.

Everyone made very interesting comments and valid points. This is going to be a long term project no matter what the outcome. They are talking about remediation, deeds, titles, property transfers and going through several boards in town as well as looking at opportunities for open space if they do exist. The Council is here to listen. He knew everyone would keep coming to the meetings which he felt was great because they really want to hear from everyone.

Councilmember McCarthy thanked Mr. Burgis and Ms. Bogart for their presentation. They were clear from the start knowing that regardless of what their presentation was there were going to be people here that were not happy with their presentation. That is a very difficult situation to come into. He stated he may not agree with their presentation but did appreciate them at least putting it forward to them. He felt it was very helpful for them. The Mayor and Council do listen to all the comments that are made at work sessions and public meetings and as Councilmember Caan said please come to the meetings. They may not always agree with everyone's opinions but the only way their opinion will be brought forward to them is if they come and put them forward. Everyone needs to stay involved in this process. It is a very important time for Fair Lawn. He thanked everyone for their comments. They will all be taken into consideration.

Mayor Ganz thanked the audience for being courteous to all the speakers. He thanked Burgis for an outstanding presentation that took into account different points of view. He assured everyone that they will have further work sessions on this topic.

**ADJOURNMENT:**

Upon motion by Deputy Mayor Etlar and a second by Councilmember Caan, the meeting was adjourned at 9:00 p.m.

Respectfully submitted,

Joanne M. Kwasniewski, RMC/CMC/AE  
Manager/Municipal Clerk

David L. Ganz, Mayor

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Councilmember Allan Caan

Deputy Mayor Martin Etler

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Councilmember Owen McCarthy

Deputy Mayor Steven Weinstein