

**REGULAR MEETING OF MAY 12, 2014  
MASTER PLAN HEARING**

The meeting of the Fair Lawn Planning Board on Monday, May 12, 2014, was called to order at 7:45 p.m. by Chairman Brent Pohlman in the Council Chambers of the Fair Lawn Municipal Building.

The notice of Open Public Meetings Law was read stating that the newspapers were notified and a notice posted on the first floor bulletin board of the Fair Lawn Municipal Building.

**Roll Call**

PRESENT: Chairman Brent Pohlman, Deputy Mayor Amy Lefkowitz, Vice-Chairman Joseph Mele, Larry Metzger, Joan Fragala, Daniel Furphy, Amy Hummerstone, Benjamin Bontekoe, Oliver Wilhelm, Peter Kortright, III Absent: James Hughes

Also present: Board Attorney Thomas W. Randall, Esq., Board Engineer Jeffrey Morris, Planner Cheryl Bergailo and Board Secretary Cathryn Hochkeppel.

**Approval of Minutes**

Upon motion by Joan Fragala and a second by Deputy Mayor Lefkowitz, the minutes of the regular meeting of April 7, 2014 were unanimously approved. AYES: Chairman Brent Pohlman, Vice-Chairman Joseph Mele, Larry Metzger, Joan Fragala, Amy Hummerstone, Deputy Mayor Amy Lefkowitz, Benjamin Bontekoe, Daniel Furphy, Peter Kortright

**General Public Comment**

Chairman Brent Pohlman opened the time for public comments.

Ruth Gormanns, 39-37 Sycamore Drive, complained about the changes to the minibus system. She also noted that the message on the voice mail is not correct. She felt someone should be an advocate for the seniors that ride the minibus.

Peter Eberling, 5-20 Canger Place, had a comment on the master plan and was told that he could speak later.

## **Master Plan Hearing**

Board Planner Cheryl Bergailo reviewed all the comments made by the public and organizations. With regard to each comment, recommendations were made. Many of the comments generated a suggested change in the Master Plan. There were also some minor corrections that were being made. Cheryl went through the suggestions as outlined in her letter attached hereto. Some additional modifications were made. Most were minor modifications.

It was explained that the Board had a meeting with the BIC and some of the recommendations have been revised. The Board discussed proposed buffering and Vice Chairman Mele suggested that buffering should be a minimum of 10 feet. It was the consensus of the Board to agree to this modification noting that an applicant could apply for a variance in the event the appropriate ordinance was adopted by the Council.

Cheryl Bergailo also explained that there was discussion relative to the zero foot minimum front setbacks. Ms. Bergailo noted that, after discussion, she would be changing her recommendation noting that there is a goal to create an eight foot wide sidewalk.

Ms. Bergailo reviewed the other recommendations regarding the BIC as outlined in the letter attached hereto.

There was discussion regarding the recommendation relative to the Deals/Chase lot. Peter Kortright stated that the term view-shed was not clear and was too broad. He agreed that any new structure should not overwhelm the clock tower but felt the term view-shed was too broad. Amy Hummerstone suggested that the words could be modified to "respect the historic architecture of the Radburn Plaza building" and the Board was in agreement with that change.

The next comment discussed was the paragraph regarding Oceano's. Chairman Pohlman suggested that the sentence reading "Reasonable site improvements so that aesthetics of the buildings and site and site layout are able to be enhanced while maintaining overall scale appear appropriate" be removed since he did not feel the Board had come to any conclusion. Larry Metzger and Vice Chairman Mele agreed. It was the consensus of the Board to remove that sentence.

Ms. Bergailo also explained that there was some discussion with the BIC representative relative to the density regarding the number of units per acre proposed for Broadway. The subcommittee will be looking at this further to recommend the appropriate number.

Board Engineer Morris added that there was a recommendation relative to improvements to the sanitary sewer along the Passaic River. Mr. Morris stated he spoke with the Borough Engineer and was advised that there is no solution that would not be cost prohibitive.

Peter Kortright left the meeting at 9 p.m. due to other obligations. Chairman Pohlman took a 10 minute recess. The meeting was reconvened at 9:10 p.m. with all members present as previously indicated with the exception of Peter Kortright.

Chairman Pohlman opened the matter to the public.

Bernice Katz, 2-22 Saddle River Road, thanked the Board for taking the public's comments into consideration and making the changes. She added that she would like to see Kind's Dairy added to the buildings to be investigated for historic purposes.

Ilene Kahn, 360 Owen Avenue; President of the League of Women Voters, stated that although they support the idea that the Clariant property be used for senior citizen and affordable housing, they believe that a higher proportion of the units should be reserved for affordable housing. They also believe that it is too dense and development should be limited to ten units per acre and that the height should be limited to 40 feet. They also believed the front yard setbacks should be increased to 25 feet and building coverage should be decreased to 20%.

Mark Gordon, 11 Burnett Terrace, Maplewood, NJ, and a representative of the BIC, indicated that he had worked with the committee and the BIC appreciates the subcommittee and Planning Board's sensitivity to maintaining economic vitality throughout the community. He noted the BIC was sensitive to the buffer width. He also noted that although the master plan recommends not using basements or storage areas for parking calculations, he would hope that they consider break rooms as well. Mr. Gordon noted he would be sending a letter outlining the BICs position.

Jane DiePeveen, 14 Ryder Road, stated that she does not believe that the building on the Deals/Chase lot should be more than two stories. She felt that any more would aggravate the current traffic problems.

Karen Sheehan, 5-11 Canger Place, stated that the pump station needed to be maintained. She stated that the odors are worse than ever. She also complained about the drainage, the roof, and the door that is broken. She said she has complained but received no response. Chairman Pohlman stated that this Board does not have any authority regarding maintenance of buildings, etc., but he would make sure that the appropriate officials were notified of her concerns. Ms. Sheehan asked about the infrastructure and Engineer Morris explained that he consulted with the Borough Engineer, and there is no way to prevent the water from entering the sanitary sewer when flooding occurs.

Mark Collier; 39-08 Van Duren Avenue; stated that the Radburn Building needs to be protected and the Deals/Chase property should be only one story as it is now. He also spoke about the Vander beck House and the Naugle house and believed the area should be designated as a historic district. He noted that the area has historic significance dating back to the revolutionary war.

Mr. Dubbiosi, 3<sup>rd</sup> Street, stated that he objected to the density at the Clariant site and is concerned at the number of housing units proposed. He thought the area would be better suited to single family homes.

Frank Paltino, 12-62 Third Street, asked why the zone is being changed on the Clariant site. Ms. Bergailo explained that no zoning changes are proposed for that site. It was rezoned in 2008 in accordance with the housing element plan and is part of the court approved affordable housing plan for the Borough of Fair Lawn. There is nothing before this Board at this time regarding that site. Mr. Paltino stated that nobody should live in that contaminated land and he suggested that the town create a solar energy farm and gain revenue from that use.

It was announced that there would be a final hearing on the master plan on June 23<sup>rd</sup> in Room B-5 of the municipal building.

**Adjournment**

Upon motion by Joan Fragala and a second by Joseph Mele, the meeting was unanimously adjourned at 9:50 p.m.

Respectfully submitted,

Cathryn Hochkeppel  
Sec'y of the Board