

REGULAR MEETING OF JULY 14, 2014

The meeting of the Fair Lawn Planning Board on Monday, July 14, 2014, was called to order at 7:50 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, Oliver Wilhelm, Amy Hummerstone, Benjamin Bontekoe, James Hughes
Absent: Peter Kortright, III, Daniel Furphy

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

Approval of Minutes

Upon motion by Deputy Mayor Lefkowitz and a second by Benjamin Bontekoe, the minutes of the work session of May 12, 2014 were unanimously approved. AYES: Vice-Chairman Joseph Mele, Larry Metzger, Joan Fragala, Amy Hummerstone, Deputy Mayor Amy Lefkowitz, Benjamin Bontekoe, James Hughes
Abstain: Oliver Wilhelm

Upon motion by Joseph Mele and a second by Deputy Mayor Lefkowitz, the minutes of the regular meeting of June 9, 2014, were unanimously approved: Vice-Chairman Joseph Mele, Larry Metzger, Amy Hummerstone, Deputy Mayor Amy Lefkowitz, Benjamin Bontekoe, James Hughes, Oliver Wilhelm
Abstain: Joan Fragala

Memorializing Resolutions

Sandvik, 17-02 Nevins Road; Block 4902, Lot 2; sign variance

Upon motion by Joseph Mele and a second by Joan Fragala, the memorializing resolution was unanimously approved. AYES: Joan Fragala, Deputy Mayor Lefkowitz, Joseph Mele, James Hughes, Larry Metzger, Benjamin Bontekoe, Chairman Pohlman

Shomrei Torah; 19-10 Morlot Avenue; Block 4400.01, Lots 3 & 4; minor site plan

Upon motion Joan Fragala and a second by Larry Metzger, the memorializing resolution was unanimously approved. AYES: Joan Fragala, Amy Hummerstone, Deputy Mayor Lefkowitz, Joseph Mele, James Hughes, Larry Metzger, Benjamin Bontekoe, Chairman Pohlman

6-20 Plaza Road, LLC, Block 3521, Lots 16-18; 6-20 Plaza Road; site plan approval

Upon motion James Hughes and a second by Benjamin Bontekoe, the memorializing resolution was unanimously approved. AYES: Amy Hummerstone, Deputy Mayor Lefkowitz, Joseph Mele, James Hughes, Larry Metzger, Benjamin Bontekoe, Chairman Pohlman

General Public Comment

Chairman Brent Pohlman opened the time for public comments and no public wished to be heard.

Mondelez Global, LLC; 22-11 Route 208; Block 4903, Lot 2, sign variance

John Belardo, Esq., appeared on behalf of the applicant. He explained that the applicant is seeking approval for three signs. The signs currently exist but the applicant is seeking to change the dimensions and the corporate identity.

Gary Jedlicka, 22-11 Route 208, was sworn in and testified that he is project manager. In October, 2012, Kraft Foods Global officially changed the name to Mondelez Global. The signs are in the same location but are slightly larger. The signs include the main entrance sign, visitors sign and the sign for deliveries. These signs have been designed in accordance with corporate guidelines. None of the signs are illuminated. Amy Hummerstone asked why the signs couldn't remain the same size. Mr. Jedlicka stated that with respect to the signs, there were some visibility issues at Route 208 and McBride Avenue. Truck traffic did not see that sign creating some safety issues. One of the variances noted by the Board Engineer was with respect to the sign's distance to the ground and the applicant agreed to eliminate that variance. The Board Engineer indicated that there are two additional signs in that area. One is for the self-storage facility. Mr. Jedlicka indicated that if this application was approved, the applicant would agree to remove that sign. There is also a compliance sign required by EPA that Mondelez cannot remove. Joan Fragala asked if the Nabisco sign on the building will remain; and Mr. Jedlicka stated that Nabisco is a brand, is iconic and it will remain.

Chairman Pohlman opened the matter to the public and no public wished to be heard.

Ryan Mulvaney from Elk Grove, Illinois, was sworn in and stated he was required to design a rebrand of the signs for Mondelez. The site development plan, a depiction of where the signs were located, was marked as Exhibit A-1. Exhibit A-2 is the depiction of the front entrance monument sign on the north corner of McBride Avenue and Route 208 dated July 8, 2014. He explained the sign and the front and rear elevations. Exhibit A-3 is a depiction of the visitor entrance sign dated November 28, 2012. It also provides the address and brand. He explained the sign dimensions and indicated that it is not illuminated. Chairman Pohlman stated that it appears that the sign is located behind the lamppost. Mr. Belardo said that the planner will address the issue. A depiction of the delivery sign dated March 11, 2014 was marked as Exhibit A-4. He explained the dimensions of the sign. The clearance height has been changed to five feet to comply with the ordinance.

Chairman Pohlman opened the matter to the public and no public wished to be heard.

David Karlebach, 38 East Ridgewood Avenue, Ridgewood, New Jersey was sworn in and qualified as a professional planner. He explained the facility which is a large bakery and offices and is situate on a very large lot. The area is industrial in nature. It shares a truck access route with other businesses such a Sandvik and Jack Daniels. It is important to have the delivery sign to avoid any confusion. The proposal is to replace three existing signs with three new signs. There is a net reduction in the number of signs. The variances required for the Mondelez ground sign (entrance monument sign) include the maximum ground sign area. Fifty square feet is proposed where forty square feet is the maximum. The height of the sign is 5 feet where four feet is the maximum allowed. The maximum length is seven feet where ten feet is proposed. The visitor entrance sign requires one variance. The minimum distance to the bottom of the sign is 5 feet and 1 ½ feet is being proposed. The delivery sign requires two variances. The maximum sign area permitted is 30 square feet where 34.68 feet is proposed. The variance to the bottom of the sign has been eliminated. The entrance sign needs a setback variance from the Route 208 right-of-way. Mr. Karlebach stated that it is important to stagger the signs so there are no visibility issues. The justification for the variances associated with the monument sign include the fact that the sign is located on Route 208 which has a 55 mile per hour speed limit and is a three lane environment. The viewer's reaction time is 9 seconds and that relates to 720 feet which results in an 18 inch letter height. The additional area is warranted for safety purposes. The visitor entrance sign is a way finder sign. Mr. Kalebach explained that this is more akin to a driveway entrance sign and that standard is more applicable. There is no danger in having a sign lower than what is permitted. The delivery sign needs to supply quite a bit of information, and the small increase is warranted. Mr. Karlebach testified that all the variances qualify for the C(2) criteria in that it represents a better planning and zoning for the site without any negative impacts. This is also a specific piece of property as compared with others in the zone and consists of forty acres. Mr. Karlebach testified that the proper signage encouraged transportation and free flow of traffic pursuant to C (2)(h) of MLUL. He testified that proper signage is required for safety. The goal is also to promote a desirable visual development which these signs accomplish. There is no substantial detriment to public good. The signs are viewable by the travelling public and not residential neighborhoods. It was agreed to work together with the Board Engineer relative to the precise location of the signage.

James Hughes asked why after the first few deliveries the trucks weren't aware of the traffic pattern. Michael Wallace, 22-11 Route 208, plant manager, was sworn in, and testified that the majority of their transportation is by third parties, not by their own employees.

Joseph Mele was concerned that the visitor sign was being placed in the right-of-way. Mr. Belardo stated that the applicant will work with the professionals to be sure that it is not a problem.

Amy Hummerstone questioned the variance for the number of signs, and the applicant agreed that this variance was also identified. Ms. Hummerstone asked if the visitor sign was necessary, and was told that the signs serve different purposes and the visitor sign is a way finding sign.

Chairman Pohlman opened the matter to the public and no public wished to be heard.

Mr. Belardo thanked the Board members for their time and complimented the professionalism of the Board Secretary who assisted them throughout the process. Mr. Belardo added that testimony was placed on the record that the variances can be granted in accordance with the criteria set forth in Municipal Land Use Law.

Larry Metzger stated that considering the size of the property and the speed of the highway, he saw no problem with granting the variances requested. Ms. Hummerstone felt that three signs were too many.

Chairman Pohlman stated that he would have the Board consider each sign individually. Joseph Mele moved that the entrance monument sign with the three variances be approved, and Deputy Mayor Lefkowitz seconded the motion. AYES: Joan Fragala, Joseph Mele, Deputy Mayor Lefkowitz, Benjamin Bontekoe, James Hughes, Larry Metzger, Amy Hummerstone, Oliver Wilhelm, Chairman Pohlman. Upon motion by Larry Metzger and a second by Joan Fragala, the visitor entrance sign was approved subject to a survey of the area in order to work with the Board Engineer to appropriately place the sign. AYES: Joan Fragala, Joseph Mele, Deputy Mayor Lefkowitz, Benjamin Bontekoe, James Hughes, Larry Metzger, Chairman Pohlman NAYS: Amy Hummerstone, Oliver Wilhelm. Upon motion by Oliver Wilhelm and a second by Joseph Mele, the delivery sign was unanimously approved subject to a survey of the area. AYES: Joan Fragala, Joseph Mele, Deputy Mayor Lefkowitz, Benjamin Bontekoe, James Hughes, Larry Metzger, Amy Hummerstone, Oliver Wilhelm, Chairman Pohlman. The Board Secretary indicated that all three signs were approved.

Anshei Lubavitch; 10-10 Plaza Road; Block 3514, Lots 1-11, Block 3515, Lots 8- 12; minor site plan

Andrew Kohut, Esq., appeared on behalf of the applicant. He explained that there is an existing childcare center at the 200-seat synagogue. They are proposing to convert the third floor to three classrooms. The applicant is also seeking to change a storage space on the first floor into a classroom. The applicant seeks to replace two outside sheds with a 30 x 30 storage shed. They are also requesting permission to place the playground in the side yard. There is a parking easement in place. The applicant is seeking four new classrooms which results in eight new spaces. Ninety-six spaces would be required with all the various uses. Currently, there are 18 spaces on site and 50 spaces via easements. The uses will not be occurring simultaneously. Each of the uses individually has adequate parking. The other variance is that the playground is in the side yard. Currently, this area is used as a play area as previously approved by this Board.

Joseph Smith, Architect, affirmed his testimony and qualified as an expert Architect and Planner. He explained the site plan and stated that there is very little being changed. The site plan dated May 5, 2014 was marked as Exhibit A-1. The entire site plan package dated May 20, 2014 was marked as Exhibit A-2. The site is on Plaza Road and there is a circuitous driveway. He explained

the entrances and exits. The two existing sheds are approximately 30 square feet. The proposed 30 x 30 shed is 900 square feet. The proposal is to recapture some of the space for classrooms. There will be a total of 13 classrooms. Mr. Smith explained the floor plan. The total increase is four classrooms, and each of these classrooms would have two teachers. The capacity of the classrooms is determined by the State of New Jersey. There could be an addition of 60 to 80 students. The applicant also wants to install playground equipment on the side of the building. The proposed playground area is adjacent to the pergola. It is currently used as a play area but they would like to add playground equipment. Although the temple is located in an R-1 residential zone, there is no residential neighbor to the south of the site. The neighbor is Route 208 on an elevated structure. There is no neighbor to be affected by this playground. This area will be fenced in for the safety of the children. The child care center serves children from 6 months to 5 ½ years of age. They are trying to increase the program since it has been very successful.

Mr. Smith explained the drop off and pick up area for the children. There are two lanes that can accommodate eight or nine cars each. The caregivers remove the children from the cars. He testified that there is plenty of queue area to accommodate the cars. There are two basic programs – one begins at 9 a.m. and ends at 1 p.m. The other program begins at 9 a.m. and ends at 3:30 p.m. Some of the cars come as early as 7:30 a.m. and leave as late as 5:30 p.m. Seven of the nine classes are dismissed at 1 p.m. It is a supervised pick-up. The other two classrooms are dismissed at 3:15 p.m. The proposed new classrooms are going to accommodate older children. Mr. Smith pointed out the parking variance situation. Although they need 96 spaces, the synagogue use never occurs at the same time as the childcare use. The child care center can be accommodated by the current available 30 spaces. The actual calculated need pursuant to the ordinance is 29 spaces. Mr. Smith testified that every time he visited the site, there was parking available.

Mr. Smith explained the shed which is to provide storage space for the building. They are demolishing two older sheds and putting up one modern shed.

Mr. Smith further testified that childcare is an accepted accessory use to a synagogue and is considered an inherently beneficial use. The application satisfies the positive criteria. The variances are for the placement of the playground and the parking as previously testified. Mr. Smith stated that there is no substantial detriment to the zone plan. Mr. Smith reviewed the Boswell Engineering review letter. There are no changes proposed to the footprint of the building or the parking. Mr. Smith further testified that the play area is safe and is in a location already in use. It is in a fenced-in area. Each of the existing play areas serves a different age group. Mr. Smith stipulated that the parking spaces will be striped and marked in accordance with the requirements of the State of New Jersey. The easement relative to the parking and the Court order were marked into evidence as Exhibits A-3 and A-4, respectively.

Chairman Pohlman asked about the traffic flow on site. Mr. Smith stated he visited the building several times between the hours of 8 am and 9 am. Most cars arrive between 8:45 am and 9:15 am. He explained the traffic flow, and testified that he has never seen the queue backed up or

even close to Plaza Road. He has never even seen the double lane used. He further testified that most of the users come in car pools and with siblings. The number of vehicles will not be 80 additional trips if there are an additional 80 students. Mr. Smith testified that there is a single queue currently occurring, and there is the capacity to double the queue. There will not be double the number of students.

Several members asked questions of the witness and he explained the pick-up and drop off of children in detail. Mr. Hughes asked the age of the children and was told the license accommodates 6 weeks to 5 years. Mr. Mele expressed concern about the traffic testimony. Mr. Mele was concerned about the fence for the play area. The shed will have water to accommodate the sprinkler system. Mr. Wilhelm asked about the storage shed doors, and commented that the shed seemed overly large. Amy Hummerstone also commented that the storage shed seems a bit large. She felt the site was too crowded. Ms. Fragala questioned the number of students, and the applicant indicated there were currently 152 students and there could be up to 80 additional students. Jeffrey Morris asked about the grading around the shed. Mr. Smith stated that the back wall would be a retaining wall. Jeffrey Morris was concerned about the slope. He also requested more detail about the fence encompassing the play area.

Chairman Pohlman opened the matter to the public for questions of this witness.

Leonard Belli, Kipp Street, Fair Lawn, stated he did not have any questions but would make comments later.

Mr. William Albert, 21 Sanders Place, Pompton Plains, said he was concerned about the safety of the building. He asked how many doors are in each classroom. Mr. Smith explained that each classroom has two doors as required.

Phil Johnson, 10-15 Plaza Road, asked about the shed. He stated that if it supports the sprinkler system, it will need heat in the winter. Mr. Smith stated there will probably be a small heater.

Chairman Pohlman recessed the meeting at 10:25 p.m. The meeting was reconvened at 10:35 p.m. with all members present as previously indicated.

Rabbi Levi Neubort, 7-09 22nd Street, Fair Lawn, affirmed his testimony. Rabbi Neubort explained that the current storage is on the first floor and it is an awkward place. The idea of the shed is to be in the back of the building and not affect the aesthetics of the building. He stated the shed will be placed in the back corner near the slope up Route 208. The next issue is the volume of more children. It was their intention to have a maximum of 245 students even if the state allowed more children. The largest classroom is 20 children but some classrooms are limited to 12 or 18 children. They do not know exactly how many children will be permitted in the new classrooms. Rabbi Neubort stated that they would be willing to reduce the number of classrooms to three on the third floor and give up the additional classroom on the first floor. They would reduce the number of additional classrooms from four to three. Rabbi Neubort explained that their drop-off and pick-up works perfectly. He explained that a neighboring facility lost water and they all had to

be moved to his building. There was no choice. There was an additional 60 people and that dismissal went perfectly and there was no back up on Plaza Road. There was no discernible difference.

Larry Metzger was concerned about the fence around the play area. Rabbi Neubort stated that it is currently a play area, and they are only asking for playground equipment in that area. If the Board would prefer a higher fence, they would be willing to do so. He also pointed out that they are extending the fence to the pergola. Chairman Pohlman suggested that the applicant work with the Board Engineer to improve safety measures. Joseph Mele pointed out that there was some detail missing on the plans, particularly the detail relative to the slope and the shed. Rabbi Neubort stated that they would be willing to move the shed five feet from the slope and have a shed that is 30 x 25 rather than 30 x 30. Oliver Wilhelm stated that the scale of the shed with the high ridge was a problem. Amy Hummerstone stated that the volume of the shed should be reduced, both height and square footage.

Chairman Pohlman opened the matter to the public and no public wished to be heard to question the witness. No public wished to be heard.

Chairman Pohlman opened the matter to comments from the public.

Leonard Belli, 25-14 Kipp Street, Fair Lawn, stated he respected the applicant's desire to expand; however, he disagrees that there is a lack of impact to the area. Already it has impacted the neighborhood in the Plaza Road intersection and the neighboring streets, particularly on Kipp Street. He felt that the 200 foot notice was too narrow and thought the Board should change notice requirements to 400 feet. He complained about the parking on Saturdays. The parking on the street during non-service weekdays does occur. He also commented that the Landmark development is going to contribute to the traffic problem. He complained about the changes in the town and the lesser suburban feel of the town. He felt this will have a negative impact on the neighbors.

Chairman Pohlman indicated that child care centers are considered an inherently beneficial use. There are laws that this Board must abide by which includes the fact that the State of New Jersey has stated that this is a beneficial use.

Eileen Meyer, 25-06 Kipp Street, stated that she can see the traffic that comes in and out of the driveway. She stated that the traffic does back up on Plaza Road. She cannot pull out of Kipp Street because the line of traffic is sitting there. She also complained that two of the teachers with the red shirts parked in front of their houses today even when there were other spaces available.

Ms. Johnson, 10-15 Plaza Road, stated that the children playing outside create a very dangerous situation. The traffic is difficult and she has trouble getting out of her driveway. She stated that there is not room for the expansion. She commented that there are many accidents in the area. She added that the temple built a third floor that was not approved and Andrew Kohut objected.

No other public wished to be heard.

Joseph Mele stated that he would have appreciated more detail on the plan and it would have been easier for him to proceed. Oliver Wilhelm agreed. Joan Fragala appreciated the reduction of one classroom but was concerned about the shed and the possible retaining wall. She also was concerned about the traffic and lack of a study.

Chairman Pohlman asked the scope of the Board's jurisdiction considering the acts of the prior Boards approving the additional space and that the applicant is not seeking a use variance. Attorney Randall explained that it is an inherently beneficial use. The Board does not go back to the beginning but starts from the point of the prior approvals. However, the applicant is asking for a variance and it is up to the Board whether the variance is warranted. Chairman Pohlman stated he has concerns about the proposed storage shed and the lack of information relative to the details of the shed and its construction.

Andrew Kohut thanked the Board for its consideration. He stated that they will reduce the number of additional classrooms to three. Having heard the concerns of the shed, they will reduce the size to 25' x 25' and the height to twelve feet. Mr. Kohut added that due to eliminating one classroom, the total parking requirement is 94 spaces for both uses combined. As a condition of any approval, the fence surrounding the playground will be subject to Engineer Morris' approval. The shed is permitted and no variances are requested for that structure. Mr. Kohut added that there is case law regarding the uses in a religious institution being considered separately for parking and that is the situation here. Andrew Kohut also pointed out that this is an inherently beneficial use and respectfully requested that the Board approve the application requested. He suggested that the parking variance requested is eighteen spaces provided where 94 are required with the caveat that they have the additional twelve unrestricted spaces and thirty-eight spaces subject to the restrictions. The shed will be 625 square feet. The applicant agreed to mandate that employees do not park on Kipp Street.

Chairman Pohlman summarized the application noting the two variances; one for parking and the other for the placement of the playground area. The applicant has agreed to reduce the classrooms requested from four to three and reduce the size of the shed to 25 feet by 25 feet with a height of twelve feet. The Board will consult with the Board Engineer to investigate if a safer aesthetic barrier can be placed on the east side of the playground area. Prior to construction of the shed, the Board Engineer shall be provided with drawings of the proposed structure and the grading in and around that area, and if necessary, plans relative to the retaining wall. The applicant also agreed to direct employees to park in designated areas.

Larry Metzger moved that the application be approved subject to the conditions and Deputy Mayor Lefkowitz seconded the motion. AYES: Joan Fragala, Amy Hummerstone, Oliver Wilhelm, Deputy Mayor Lefkowitz, Joseph Mele, James Hughes, Benjamin Bontekoe, Larry Metzger, Chairman Pohlman.

Brigandi; 13-20 River Road; Block 5612, Lot 11; minor site plan.

Chairman Pohlman recused himself from the application. He noted that the by-laws do not allow the Board to proceed at 12:20 a.m. unless the Board members were willing to suspend the by-laws. Chairman Pohlman turned the matter over to the Vice Chairman Mele.

Attorney Randall explained that a vote was required to suspend the curfew of the by-laws for this evening. Upon motion by Joan Fragala and a second by Oliver Wilhelm, the Board voted unanimously to suspend the by-laws and hear the matter. AYES: Joan Fragala, Amy Hummerstone, Deputy Mayor Lefkowitz, Oliver Wilhelm, Benjamin Bontekoe, Larry Metzger, Vice Chairman Mele. A unanimous vote is required and was obtained.

John Brigandi appeared on behalf of the applicant. He stated that they were seeking a parking variance for a yoga studio. The previous space was a retail space that required five parking spaces but the yoga studio is zoned as a commercial school and requires 13 spaces. There is only one spot in the rear of the building. It is used by employees and not by the patrons.

Evelyn Brigandi, of Wyckoff, New Jersey was sworn in and stated that she will be the operator of the Yoga Studio. They want to open up a small family-run Yoga studio. Ms. Brigandi stated that they can provide health and wellness to the Fair Lawn community. A Yoga Studio is a little different in that it is a small space where there are only five to ten clients per session. The hours are not the typical hours. The hours of operation are Monday through Friday 9 a.m. to 11 a.m. and from 6 p.m. to 9 p.m. The hours on weekends would be 8 am to 11 am. Ms. Brigandi explained the neighbors' business hours which she indicated complimented their hours. She stated that the Bank of America is a close neighbor and there is a verbal agreement that when the bank is closed, they are permitted to use their lot.

Larry Metzger left at 12:35 a.m.

John Brigandi was sworn in and affirmed all the comments he made previously. He indicated that they had no experts available to testify. Vice Chairman Mele asked the Board Attorney if professionals were required, and Mr. Randall stated that the applicant can proceed in any manner they choose but it is up to the Board whether they are satisfied that the variance can be granted without expert testimony. Mr. Brigandi stated that pictures were taken regarding the parking. There were ten photos marked as Exhibit A-1.

Ms. Brigandi indicated that she took the pictures at various times demonstrating that there was available parking. Mr. Brigandi stated he has driven past at various times to assure that there is available parking. They have not seen any issues with parking with the exception of the parking in the morning with the bagel shop. He does not see parking as an issue. Ms. Brigandi stated that she drove past every morning and every evening and there always was available parking.

Ms. Fragala asked about the length of the classes and was told they would be 50 minutes long. Mr. Brigandi stated that based upon the RRIC study, they believe they can create a yoga

community within the area and walking to class will be promoted. Deputy Mayor Lefkowitz asked the applicant if they would be willing to limit their hours, and the applicant agreed to that limitation. Joseph Mele pointed out that the applicant is seeking an increased parking variance of eight spaces.

Robert Landzettel, 65 Cummins Court, Mahwah, New Jersey, indicated that he served on the Zoning Board and was the Chairman of the Board. He also served on the master plan committee in the 1960s and is involved in the RRIC and was involved with the RRIC master plan. This is a special use. The owners of the building are here as well and have done a good job of renovating the building and improving it. The building is over 100 years old and was built before automobiles were used so prolifically. Downtowns have trouble filling small spaces and this will give the area a unique use. There is not a parking problem in that area. He said that the George Street lot is available to the public. He felt that this variance could be granted without substantial detriment and would be a benefit to the community.

Vice-Chairman Mele opened the matter to the public for questions of the witness and no public wished to question the witness.

Vice-Chairman Mele opened the matter to comments by the public.

William Albert, 21 Sanders Place, Pompton Plains, New Jersey, was sworn in and stated that parking is a problem in the area. If an additional seven cars are parked for an hour each, it will cause a greater problem. Small businesses are having a harder time surviving and they will not if parking is not available. He stated he finds it difficult to find parking.

Boris Levich, 15-23 Alden Terrace, Fair Lawn, was sworn in and stated he spent a great deal of money to improve the building. He believes there is parking available in the area.

No other public wished to be heard.

Vice Chairman Mele stated that one of the conditions of approval would be to limit the hours of operation to 9 a.m. and 11 a.m. and 6 p.m. to 9 p.m. Monday through Friday and weekends 8 a.m. to 11 a.m. James Hughes thought that although the parking is difficult in that area, limiting the hours might be too restrictive. Joseph Mele pointed out that if there were no hours of operation limitations, any school could occupy the space and operate at all hours. Mr. Wilhelm added that the applicant could come back to the Board if they wish to expand their hours.

Vice Chairman Mele moved that the application be approved limiting the hours as stated. Oliver Wilhelm seconded the motion which was unanimously adopted. AYES: Joan Fragala, Amy Hummerstone, Deputy Mayor Lefkowitz, Oliver Wilhelm, James Hughes, Benjamin Bontekoe, Vice Chairman Mele

Adjournment

Upon motion by James Hughes and a second by Oliver Wilhelm, the meeting was unanimously adjourned at 12:45 a.m.

Respectfully submitted,

Cathryn Hochkeppel
Sec'y of the Board