

REGULAR MEETING OF JUNE 8, 2015

The regular meeting of the Fair Lawn Planning Board on Monday, June 8, 2015 was called to order at 7:37 p.m. by Vice Chairman Joseph Mele in the Council Chambers of the Fair Lawn Municipal Building.

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

Also present: Board Attorney Thomas Randall, Board Engineer Jeffrey Morris, Board Secretary Cathy Hochkeppel

Approval of minutes

Upon motion by Joan Fragala and a second by Benjamin Bontekoe, the work session minutes of the May 11, 2015, meeting were approved. AYES: Peter Kortright, III, Joseph Mele, Benjamin Bontekoe, Joan Fragala, Amy Hummerstone, James Hughes Abstain: Daniel Furphy, Larry Metzger, Deputy Mayor Lefkowitz. Upon motion by Peter Kortright and a second by Joan Fragala, the regular meeting minutes of the May 11, 2015, meeting were approved. AYES: Peter Kortright, III, Joseph Mele, Benjamin Bontekoe, Joan Fragala, Amy Hummerstone, James Hughes Abstain: Daniel Furphy, Larry Metzger, Deputy Mayor Lefkowitz

Public Comment

Vice Chairman Mele opened the matter to the public but no public wished to be heard.

Bright Start Day Care; 9-10 Saddle River Road; Block 1507, Lot 21; minor site plan

Dimitry Kogan, 0-100 27th Street; Fair Lawn appeared on behalf of the applicant. Ms. Hochkeppel pointed out that members eligible to vote were Joan Fragala, Peter Kortright, James Hughes, Benjamin Bontekoe, Amy Hummerstone and Vice Chairman Mele. Mr. Kogan stated that they

were here to answer some of the questions and matters raised at the last meeting. The architect's drawing dated June 1, 2015 was marked as Exhibit A-2.

Glen Stubaus was reminded he was still under oath. He explained that there were several changes to the plan including the location of the handicapped parking space. One parking space had to be omitted in order to accomplish this. There are now 38 parking spaces available. Additional striping was added. The existing lights are being replaced with new lights. A landscaped area has now been planned for the rear corner. He stated that he believed that these were the primary concerns of the Board at the last meeting. Mr. Stubaus explained how the bus movements will be accomplished. Mr. Hughes asked about the children going to the playground, and Mr. Stubaus stated that they had discussed this matter, and the applicant said the staff can place cones out when the children are travelling to and from the playground.

No public wished to question the witness.

Ms. Irina Sheynin was reminded she was still under oath. She explained that the school bus comes after the children who attend part-time kindergarten are dismissed. Ms. Sheynin explained that on Sundays they have dance class but do not require parking except for the teacher because parents drop children off and do not stay. There are very limited activities. Board members were concerned about a conflict with the church. Ms. Sheynin explained that usually the dance class runs from 10 a.m. to 1 p.m. Peter Kortright was concerned about the dual operation of both sites due to the shared parking agreement. Ms. Sheynin stated that there will be 1 teacher and a maximum of 15 students. The ages of the children are 10 to 15. Ms. Sheynin testified that there would be no special occasions on Sundays. Mr. Randall explained that the church service begins at 10 p.m. and then they the congregations had a social time from 12 to 2 p.m. Ms. Hummerstone stated that parents often park to wait to pick up their children. James Hughes asked if they could change the time as both activities begin at 10 a.m. Ms. Sheynin stated that they could move the time to 10:30 a.m. Vice Chairman Mele also asked the applicant if she would be willing to restrict the number of students. Joan Fragala suggested that the class start at 10:30 a.m. as that would give the church members time to park prior to services. Peter Kortright agreed. Amy Hummerstone noted that five spaces have been lost from the original application by the church.

No public wished to question the witness.

Rouslan Chmigelski, property manager of the site, was sworn in and testified that he spoke with the garbage company and it was normal procedure for the town hauler to pick up the garbage in this area if it is placed at the curb properly.

No public wished to question the witness.

Mr. Kogan asked that the Board approve the application.

Vice Chairman Mele opened the matter to the public for comments and no public wished to be heard.

Amy Hummerstone stated that she thought the parking on Sundays would be a problem. Peter Kortright moved that the application be approved subject to the staggered hours beginning no earlier than 10:30 a.m. on Sunday with one instructor and a maximum of 15 students. He complimented the applicant on making the revisions requested by the Board. The motion was seconded by Joan Fragala and was adopted upon the following vote. AYES: Joan Fragala, Peter Kortright, James Hughes, Benjamin Bontekoe, Vice Chairman Mele NAY: Amy Hummerstone

Promenade Dental Care; Block 4801, Lot 1, Sign Variance

Stu Liebman appeared on behalf of the applicant, Dr. Furman. Mr. Liebman explained that the applicant was looking for the sign variance. This development is everything we hoped it would be. He noted that on August 12, 2013, this Board approved a sign package for the site which they have used. The development is almost fully occupied. Dr. Furman has two awning signs. She has been open almost a year and her patients are having trouble identifying her office. Retail offices right next to her have wall signs. They are not seeking a bigger sign and are staying consistent with the sign program for the site.

Thomas Schneider of Bergen Sign Company was sworn in and qualified as a sign expert. He stated he was familiar with the development. The location of the dental office is immediately next to the commercial use. TKL has started to occupy the rest of the area and there is little pedestrian traffic in the area. Dr. Furman's office is the only one in the area with only an awning sign. Dr. Furman explained to him that her patients are calling from the parking lot because they could not locate her office. The awning signs are not internally lit. The awning graphics will be removed and the wall sign will be consistent with the other signs in the development. He testified that there would be no detriment to the area in granting this sign variance and, in fact, will make the area safer as Dr. Furman's office will be easier to locate. Daniel Furphy asked if the sign would be put on a

timer and Mr. Schneider stated they will be. There was some discussion regarding timing and it was agreed that the lighting would be turned off one hour after the business is closed consistent with other signage in the development.

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

Peter Kortright moved that the application be approved subject to the illumination being turned off one hour after the business being closed and the graphics being removed from the awning.

Larry Metzger seconded the motion and was adopted upon the following vote. AYES: Joan Fragala, Peter Kortright, Deputy Mayor Lefkowitz, James Hughes, Benjamin Bontekoe, Larry Metzger, Daniel Furphy, Vice Chairman Mele NAY: Amy Hummerstone

Adjournment

Upon motion by Joan Fragala and a second by Larry Metzger, the meeting was unanimously adjourned at 8:45 p.m.

Respectfully submitted,

Cathryn Hochkeppel
Secretary of the Planning Board