

## **SPECIAL MEETING FEBRUARY 22, 2010**

The meeting was called to order by Chairman Peter Kortright at 7:00 P.M.

The notice of the Open Public Meetings Law was read.

**Roll Call:** Present: Chairman Peter Kortright, Todd Malkin, Joseph Baladi, Barry Winston, Kenesha Brathwaite, Scott Osback, Larry Metzger, Baruch Godot, Absent: Phillip Cassidy, Amy Hummerstone, Deputy Mayor Lisa Swain

Also present: Board Attorney Douglas Bern and Board Secretary Cathy Hochkeppel

### **Statutory review of Ordinance No. 2179-2010**

Attorney Douglas Bern noted this ordinance is being adopted under protest. There hasn't been a presentation by Landmark of their plan to this Board. The Board has supported pedestrian safety and this is not addressed in the ordinance. Attorney Bern advised that Landmark is also objecting to the ordinance and sent a letter to the Court. This is an unusual situation since this is Court ordered. Barry Winston commented that there are massive pedestrian problems to address. There is a Synagogue and day care center in the vicinity with lots of children.

Chairman Kortright reminded the Board that this matter never came before the Planning Board but is being considered due to Judge Harris's court order. Board Attorney Bern sated that the Borough is under court order to adopt this ordinance. Chairman Kortright stated that this Board does not have the plans which were never reviewed by the Planning Board. Chairman Kortright added it is difficult to endorse without a plan. There was concern about open space, the mass of the building, access, bulk standards, infrastructure impact, off-site improvements and compatibility with adjacent land use.

Chairman Kortright instructed the Board Secretary to make their concerns known to Council.

## **ADJOURNMENT**

Upon motion by Barry Winston and a second by Baruch Godot, the meeting was unanimously adjourned as 7:30 P.M.

Respectfully submitted,

Cathryn Hochkeppel  
Municipal Housing Liaison/  
Land Use Administrator/  
Secretary of the Planning Board

CH:mc