

REGULAR MEETING OF FEBRUARY 26, 2007

The regular meeting of the Fair Lawn Planning Board of Monday, February 26, 2007, was called to order at 7:30 p.m. by Chairman Barry Winston in the Council Chambers of the Municipal Building.

Notice of the Open Public Meeting Law was read stating that the newspapers were notified and notice posted on the first floor bulletin board of the Municipal Building.

ROLL CALL:

Present: Deputy Mayor Marty Etlar, Chairman Barry Winston, Todd Malkin, Phil Cassidy, Larry Metzger, Peter Kortright III, Honey Morgenstern, Harvey Rubinstein,
Absent: Michael Cohen, Alan Neggia, Joseph D'Arco

Also present: Board Engineer John Rottenbacher, Board Attorney Douglas Bern and Board Secretary Cathryn Hochkeppel

Presentation to Albert Palmieri

Chairman Barry Winston presented a plaque to Palmieri for dedication and outstanding public service for serving as a Planning Board member.

Escrow Bills

Deputy Mayor Marty Etlar moved that the escrow bills be approved and Todd Malkin seconded the motion which was unanimously approved. AYES: Peter Kortright III, Honey Morgenstern, Harvey Rubinstein, Larry Metzger, Todd Malkin, Phil Cassidy, Chairman Barry Winston, Deputy Mayor Marty Etlar

Approval of Minutes

Upon motion by Harvey Rubinstein and a second by Deputy Mayor Marty Etlar, the work session minutes of December 11, 2006, were unanimously approved. AYES: Deputy Mayor Marty Etlar, Peter Kortright III, Honey Morgenstern, Harvey Rubinstein, Larry Metzger, Todd Malkin, Phil Cassidy, Chairman Barry Winston Upon motion by Todd Malkin and a second by Harvey Rubinstein, the minutes of the reorganization meeting of January 8, 2007, were unanimously approved. AYES: Deputy Mayor Marty Etlar, Peter Kortright III, Honey Morgenstern, Harvey Rubinstein, Larry Metzger, Todd Malkin, Phil Cassidy, Chairman Barry Winston Upon motion by Todd Malkin and a second by Harvey Rubinstein, the minutes of the special meeting of February 5, 2007, as amended, were unanimously approved AYES: Deputy Mayor Marty Etlar, Peter

Kortright III, Harvey Rubinstein, Larry Metzger, Todd Malkin, Phil Cassidy, Chairman Barry Winston ABSTAIN: Honey Morgenstern

Arthur Avenue Café; 17-17 Route 208 North; Block 4801, Lot 2, food handler

Board Attorney Douglas Bern explained the resolution in detail. Upon motion by Todd Malkin and a second by Larry Metzger, the resolution was unanimously approved. AYES: Deputy Mayor Marty Etlar, Peter Kortright III, Todd Malkin, Harvey Rubinstein, Larry Metzger, Chairman Barry Winston

Village Junction; 177 Lincoln Avenue; Block 6906, Lots 1, 2 & 76-82

Board Attorney Douglas Bern explained the resolution in detail. Several minor amendments were made. Upon motion by Todd Malkin and a second by Peter Kortright III, the resolution was unanimously approved as amended. AYES: Peter Kortright III, Todd Malkin, Chairman Barry Winston

Chairman Barry Winston announced to the public that the applications of Wallace; 12-45 River Road; Block 5611; Lots 61-63; site plan and MBIF (Dunkin Donuts); 22-01 Broadway; Block 3329; Lots 8-9; site plan were being carried to the March 18, 2007, Planning Board meeting.

General Public Comment

Felice Koplik, 6 Reading Terrace, asked when basements would be included in the FAR calculations. Todd Malkin explained that basements in general were excluded unless more than three feet is above the finished grade. Ms. Koplik stated that sometimes bedrooms are built in the basement even if the grade is lower. Peter Kortright III, stated that this matter has been discussed for some time and they do not want it to be overly complicated. Todd Malkin added that changes could be made after everyone has had the opportunity to see how effective it is. As no other public wished to be heard, Chairman Barry Winston closed the time of public comment.

Route 208 Corridor Study

Todd Malkin recused himself to join other members of the Economic Development Committee. Robert Landzettel of Mahwah, New Jersey, introduced the members present. He explained that this is the second year of operation. The Economic Development Committee was put into existence through the efforts of Deputy Mayor Marty Etlar and Mayor Steve Weinstein to help the economic vitality of the business districts of the Borough of Fair Lawn. He listed the members. The Economic Development Committee reviewed areas of interest for the future of Fair Lawn. It is

necessary for the continued vitality of the community that the Route 208 commercial/industrial district be preserved and upgraded. Nabisco (40 acres) is one of the largest properties. The Borough of Fair Lawn in partnership with the Borough of Glen Rock received a smart growth grant from the State of New Jersey for \$40,000.00 to study that area. He explained that Maple Avenue and Harristown Road are a bit of a jumble and having Glen Rock involved makes for better planning. The report is not final and subject to final review. Todd Malkin explained that one of the key things the group realized that when this business park was developed 50 some odd years ago, the same uses do not meet today's standards. One of the uses desired is high quality office space along the corridor. There is also a component to meet the C.O.A.H. requirements. Deputy Mayor Marty Etler commented that in general he agrees with the report but Fair Lawn Avenue cannot sustain the additional traffic. There needs to be a southbound overpass or a good opening at the Harristown Road area. He added that the positioning of the road is vital.

Bob Landzettel stated that Nevins McBride tried to get an overpass from the State years ago. Todd Malkin explained the reasons that Glen Rock was included in the study. Phil Cassidy asked about the input of the businesses in that area. Mr. Landzettel explained they have met with a number of property owners and asked what they would like to be beneficial to them. Traffic is a concern. Safety within the park is also a concern. There is train service but the bus service is lacking. Exiting on 208 North was also mentioned.

Mr. Landzettel read part of the report focusing on the vision statement. He explained that one of the goals is to create more investment in the area. There is a proposal for a new road for circulation within the park. There is another road shown that partially bisects the Nabisco property to improve circulation.

It was explained that there is also a need to provide for affordable housing based upon the growth and areas have been identified. Any proposal would be a planning issue before the Board. Don Smart added that this document provides a conceptual of zone regulations that are suggested. He added that this is a work in progress and this is the direction that the market studies and reports have led the group. The goal is to maximize ratables and minimize the strain on local services. Harvey Rubinstein asked if the Economic Development Committee is calling for the Borough of Fair Lawn to declare the area in need of redevelopment. Mr. Landzettel explained that the H2M report lays out the different options. There are no plans to use eminent domain. These are the tools available but they are not necessarily encouraged. Stu Hermann explained that this is a work in progress where they are trying to get input from various groups. This report is just a beginning. Chairman Barry Winston added that it isn't just the Councils and Planning Boards that need to be on board, it is the public at large that needs to be informed and supportive. Larry Metzger commented that he is concerned about a labor force coming from Route 20 and the traffic on Fair Lawn Avenue. Stu

Hermann stated surprisingly the workforce comes from several surrounding counties and if there is a migration away from manufacturing, there will be a different workforce. Larry Metzger also commented that he found the plan similar to Raritan Center which is a positive. Steven Kiehl added that the group is not talking about changing the area rather they are talking about upgrading it. They want to be more flexible as to the various uses. This vision adds flexibility to add a variety of uses. Todd Malkin said flexibility is key to making this work. Phil Cassidy asked who is going to pay for these costs. Mr. Landzettel explained it will be up to the individual developer. This study should also become part of the overall master plan for the Borough and will include design standards similar to River Road.

Honey Morgenstern commented that the type of hotel that is being proposed will bring in more traffic than Amerisuites. Peter Kortright III, agreed but stated that it is not something that should necessarily be shielded away from. Access is key. Peter Kortright III, added that there should be multiple visions.

The heavy traffic on Fair Lawn Avenue was discussed. Don Smart commented that they are also meeting with the NJDOT and Passaic County Transportation. They will be discussing the intersection of Maple Avenue and Route 208. Harvey Rubinstein questioned why the group is dealing with private property. Todd Malkin explained that zoning is an important aspect of local government. Rather than allowing developers to dictate to Fair Lawn, they are being proactive and looking to maximize the ratables for the benefit of all of Fair Lawn. Don Smart added that there has been some discussion about creating a new Master Plan. In essence, this group is assisting in that task for this area.

Phil Cassidy commented that everything seems to be hinged on Nabisco leaving. Todd Malkin stated a lot can be upgraded in the area whether or not Nabisco remains. The uses are actively changing. Chairman Barry Winston asked the Board Secretary to forward the planner's comments to the Economic Development Committee and to the Board members.

Harvey Rubinstein suggested that a study be done by CBRE to evaluate what this area offers or doesn't offer regarding office space and other uses. Stu Hermann explained that part one and part two of the study essentially did that assessment.

Peter Kortright III, suggested that pharmaceutical uses be included. Larry Metzger asked about the affordable housing and Mr. Smart explained that no detail has been determined except that this group is saying no to housing along Route 208. If there is going to be any housing, it should be put in the rear of the property. Harvey Rubinstein asked about rental units and owner occupied units and Board Attorney Douglas Bern stated that the Planning Board cannot regulate ownership. Chairman Barry Winston

thanked the members of the Economic Development Committee for taking time to explain the report and looked forward to meeting with them in the future.

Adjournment

Upon motion by Harvey Rubinstein and a second by Peter Kortright III, the meeting was unanimously adjourned at 9:50 p.m.

Respectfully submitted,

Cathryn Hochkeppel
Land Use Administrator/
Secretary of the Planning Board

CH:blcl