

WORK SESSION OF JUNE 11, 2007

The work session of June 11, 2007, was called to order by Vice Chairman Peter Kortright III, at 7:00 p.m. The notice of the Open Public Meetings Law was read.

ROLL CALL:

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

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

Chairman Barry Winston thanked Deputy Mayor Marty Etler for driving him to the meeting.

The Board discussed the trees that were cut down at the Anshei Lubavitch Center. Ms. Hochkeppel indicated she is awaiting a landscaping plan.

The Board discussed the memo from Councilmember Trawinski. Dr. Cohen felt that it might be over regulation. Todd Malkin indicated that it was very similar to the Scarsdale, New York ordinance. The subcommittee had already reviewed this ordinance. There may be some merits to parts of this ordinance but the F.A.R. ordinance should not be delayed. Vice Chairman Peter Kortright III, stated the Borough has not even seen the effects of the F.A.R. ordinance so it is difficult to know if additional regulations are necessary. Phillip Cassidy added that a lot of the details contained in this ordinance are already in the Code. Todd Malkin stated that there is a great deal of subjectivity in the ordinance.

Chairman Barry Winston added that the Borough needs time to see the impacts of the F.A.R. ordinance. It can be revisited within a year.

Harvey Rubinstein commented that Cheryl Bergailo is the planner for Wall Township. There may be some merit to what she has recommended. Phillip Cassidy stated that it would make more sense if you have 100 acres of property where the town is going to be built. Fair Lawn is 99% developed.

The footprints are existing on most lots. Larry Metzger commented that some developers are knocking houses down and putting up new residences.

It was suggested that the Board form a subcommittee to investigate the possibility of adopting some or all of the suggestions. It was agreed that the subcommittee would consist of Todd Malkin, Harvey Rubinstein and Phil Cassidy with Todd Malkin as chairperson. It was suggested that the subcommittee wait to look at the impacts of the F.A.R. ordinance once it is adopted.

Todd Malkin explained his responses to the questions regarding the F.A.R. ordinance. The Board members concurred with his recommendations and Ms. Hochkeppel was asked to convey the Boards consensus to the council with emphasis on expediting the F.A.R. ordinance.

Harvey Rubinstein commented that it is disconcerting to receive revised plans or new documents the night of the meeting. Todd Malkin said he has noticed that it is happening a lot less frequently. Ms. Hochkeppel stated that she has been postponing matters that have not been responsive to Boswell Engineering's report but sometimes the applicant makes a change and she is unaware they are going to do so. Board Attorney Douglas Bern added that every member has the right to say I just received the revised plans and haven't had enough time to review them so I cannot make a decision tonight.

Upon motion by Todd Malkin and a second by Michael Cohen, the meeting was unanimously adjourned at 7:35 p.m.

Respectfully submitted

Cathy Hochkeppel
Land Use Administrator/
Secretary of the Planning Board

CH:blcl