

## **WORK SESSION/REGULAR MEETING OF FEBRUARY 13, 2023**

The meeting of the Fair Lawn Planning Board on Monday, February 13, 2023 was called to order at 7:00 p.m. by Chairman Ludzki 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: Councilmember Gail Rottenstrich, Larry Metzger, Ari Ludzki, Jorge Reyes, Vice Chairman Joseph Mele, Amy Hummerstone, Anna Aleynick, Arunima Diwan  
Absent: David Mangual  
Late: Shana Cohen, Grant King

Also present: Board Attorney Gregg Paster, Board Secretary Cathryn Hochkeppel

### **Swearing in of new member and returning member**

Gregg Paster swore in Arunima Diwan and Anna Aleynick

### **Extension request by Bergen County United Way/Madeline**

Gregg Paster explained that this matter has taken longer than expected but BCUA has finally received the necessary funding to move forward. Chairman Ludzki noted that they have sought an extension in the past. Upon motion by Joseph Mele and a second by Councilmember Rottenstrich, the resolution extending the time was unanimously adopted. AYES: Councilmember Gail Rottenstrich, Larry Metzger, Ari Ludzki, Anna Aleynick, Jorge Reyes, Joseph Mele, Amy Hummerstone, Arunima Diwan

### **Addition to redevelopment area, Block 4903, Lot 4**

Attorney Paster explained that this is a small sliver of property by the exit ramp that was inadvertently left out of the study area. He stated that he received a letter from the owner's attorney. He explained that the most expeditious way to handle it is to add the property to the area without further study. In response to Councilmember Rottenstrich's question, Attorney Paster explained that if a property is zoned as useless, it can become a reverse condemnation

which could require the Borough to purchase the property. There was some discussion as to how the owner acquired the property since it didn't appear to be buildable. Shana Cohen explained the ownership history. Upon motion by Joseph Mele and a second by Grant King, the resolution was unanimously adopted. AYES: Councilmember Gail Rottenstrich, Larry Metzger, Ari Ludzki, Shana Cohen, Jorge Reyes, Joseph Mele, Grant King, Amy Hummerstone, Anna Aleynick

### **Approval of minutes**

Upon motion by Vice Chairman Joseph Mele and a second by Grant King, the minutes of the meeting of January 9, 2023 were unanimously approved. AYES: Councilmember Gail Rottenstrich, Larry Metzger, Ari Ludzki, Shana Cohen, Jorge Reyes, Joseph Mele, Grant King, Amy Hummerstone Abstain: Ana Aleynick

### **Approval of escrow bills**

Ms. Hochkeppel read the escrow bills. Upon motion by Grant King and a second by Joseph Mele, the escrow bills were unanimously approved. AYES: Councilmember Gail Rottenstrich, Larry Metzger, Ari Ludzki, Shana Cohen, Jorge Reyes, Joseph Mele, Grant King, Amy Hummerstone, Anna Aleynick

### **Memorializing resolution - Veterinary Hospital; 133 Lincoln Avenue; Block 6906 Lots 51-54**

Attorney Paster explained the resolution. Upon motion by Larry Metzger and a second by Joseph Mele, the resolution was unanimously adopted. AYES: Councilmember Gail Rottenstrich, Larry Metzger, Ari Ludzki, Shana Cohen, Jorge Reyes, Joseph Mele, Amy Hummerstone

### **Memorializing resolution - AutoZone; 27-02 Broadway; sign variance**

Attorney Paster explained the resolution. Larry Metzger asked if the monument sign is required to be removed prior to the new sign being installed. Attorney Paster stated that the resolution states that the monument sign must be removed prior to the issuance of a permit. Upon motion by Councilmember Rottenstrich and a second by Shana Cohen, the resolution was unanimously adopted. AYES: Councilmember Gail Rottenstrich, Larry Metzger, Ari Ludzki, Shana Cohen, Jorge Reyes, Joseph Mele, Grant King

### **Special meeting request**

Ms. Hochkeppel explained that the application for the Nabisco property is to be held at the regular April meeting. Mr. Liebman asked that we schedule a special meeting in case the matter needs to be carried since it is such a large application. The board was in agreement that a special meeting will be scheduled for April 24<sup>th</sup>.

### **Meeting date changes**

Chairman Ludzki asked to change some of the meeting dates since there are some conflicts. He noted that on September 11<sup>th</sup> there are memorial services so he suggested that the meeting be changed to September 18<sup>th</sup>. The November meeting is currently scheduled for November 6<sup>th</sup> which is the night before election so he suggested that the meeting be scheduled for November 20<sup>th</sup>. Ms. Hochkeppel will advertise the changes. The Board members agreed.

### **Planning Design Guidelines**

Ms. Hummerstone explained the process and briefly outlined the guidelines and the different sections. She stated that the question is the next step to incorporate it into the master plan. Chairman Ludzki commented that this is addressing several of the matters that consistently comes up with the applicant. Shana Cohen stated that they were very thorough going through it line by line. One of the issues that is constantly brought up is beautification of properties and species of trees and/or landscaping. Attorney Paster cautioned the Board that some of the aesthetics are not in their jurisdiction. He also stated that it could help developers so they know what the Board is looking for. Chairman Ludzki asked if this guideline could be extended to other parts of the borough. Ms. Cohen indicated that there is some uniqueness to the Radburn corridor but this would be a good outline to use for other parts of the borough. The master plan committee can make recommendations to council relative to additional ordinances. Attorney Paster suggested that a Council member be involved in the recommendations. Ms. Hochkeppel and Ms. Hummerstone will look into the next steps to take.

### **Subcommittees**

Chairman Ludzki stated that Joseph Mele has volunteered to chair the Deals property subcommittee since the chair is no longer on the Board. Ms. Hochkeppel stated that Mr.

Liebman stated that they have the elevations available on the property and he has requested that a meeting with the subcommittee be scheduled which Joe can coordinate.

Shana Cohen asked about adding outside members to the subcommittees. Attorney Paster stated there is no prohibition but he is not a fan of that type of committee as they tend to be inefficient. He added that type of committee would be appointed by the Council. Chairman Ludzki stated that although he understands the sentiment of getting other people's opinions and using their expertise, his hesitant to request this type of committee. Attorney Paster added that the ultimate responsibility lies with the Board members.

### **Public Comment**

Stuart Liebman asked about the addition to the redevelopment area. Attorney Paster explained that he received a call from the owner of a sliver of property along the ramp asking that it be added to the redevelopment area. Chairman Ludzki stated he did not know that Mr. Liebman wasn't aware of the addition. Mr. Liebman also noted that there is a provision in the redevelopment plan that the subcommittee be shown the elevations prior to a filing with the Board. He thanked Joe for volunteering to chair the subcommittee.

### **Adjournment**

Upon motion by Grant King and a second by Shana Cohen, the meeting was unanimously adjourned at 8:40 p.m.

Respectfully submitted,

Cathryn Hochkeppel  
Secretary of the Planning Board