



**Item # 3**

**Case No: 2011-5**

**Applicant: Howdavar Associates, LLC**

**Address: 403 Grand Avenue**

**Block: 2911 Lot: 32**

**Proposed Use: Application for a Preliminary and Final Site Plan and Sign  
Waiver with variance relief for a medical office.**

**Item # 4**

**Case No: 2011-20**

**Applicant: Indoor Playgrounds, LLC**

**Address: 14-20 Grand Avenue**

**Block: 2404 Lot: 13 & 14**

**Proposed Use: Sign Waiver Application.**

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FOUNDED 1913  
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October 6, 2011

229 Engle Street Associates, L.L.C.  
Endocrinology Associates, P.C.  
Joseph J. Schwartz, M.D.  
229 Engle Street  
Englewood, NJ 07631

Dear Sirs:

I am writing in my capacity as attorney to the Planning Board of the City of Englewood. On April 11, 2011 and May 16, 2011, the Planning Board received letters from Elliot W. Urdang, Esq. on your behalf asking the Planning Board to modify its memorializing resolution of January 25, 2011. Mr. Urdang indicated that he thought the resolution was confused or was otherwise ambiguous, when its intent should have been the elimination of a previous condition - which was a limitation that allowed as the only physician's practice, one specializing in endocrinology. I have reviewed the transcript of proceedings on December 14, 2010 and I am of the opinion that the vote of the Board clearly eliminates that condition. There is no limit on the practice of any qualified health care professional or subset of medicine or medical practice.

The only limitation, tailored to the variance for deficient on-site parking, is the requirement that no more than five (5) full-time equivalent health care "practitioners" (as defined in the resolution) be practicing on the site at any one time.

I do not believe the resolution is problematical for you. If you conclude otherwise, it would not be possible for the Board to reopen the matter without reapplication to the Board and upon public notice.

Very truly yours,



MICHAEL B. KATES

MBK:hsg

cc: Wayne Scott, Zoning Officer  
City of Englewood  
cc: Planning Board  
cc: Elliot W. Urdang, Esq.