

**CITY OF ENGLEWOOD
PLANNING BOARD MINUTES
March 28, 2013
8:00PM**

Roll Call:

Present: James Demetrakis, Vice Chair
Lewis Baer
Toni Fay
Emily Mann
Councilman Marc Forman
Michael Kates, Esq.
Deborah Gallagher, Planning Board Secretary

Vice Chairman Demetrakis calls the meeting order and stated that adequate notice of this meeting was given by the posting, filing and distribution of the notice as required by the Open Public Meetings Act.

Minutes of March 7, 2013 meeting carried to April 4, 2013 meeting.

Item # 1:

Resolution for 2011-29 ERA South, LLC (Flat Rock Square) for Site Approval

Attorney for the applicant, Lou Darminio of Price, Meese, Shulman & D'Arminio, P.C., 50 Tice Boulevard, Woodcliff Lake, NJ addressed the Board regarding the conditions that the Board seeks to impose on resolution approval. Mr. Darminio refers to his February 26, 2013 letter objecting to imposition of trolley cost, brick façade – which he believes is an improper and illegal condition. No support for aesthetic conditions from Municipal Land Use Law, there is no authority for this type of condition.

Mr. Kates responds and reads from page 6, number 7 & 8 of the resolution. The issues in Mr. Darminio's letter were addressed in these sections.

Mr. Kates states there will be some slight changes to the resolution, one substantive revision: 19 space set-aside on paragraph 5 page 5, surface parking was not referenced, page 7 - Conditions Specific to the Applications.

Mr. Darminio stands by his objections on the conditions, does not have objections to the minor changes.

No public comment received.

The Board voted as follows:

PB Member	Motion	Second	Vote
Demetrakis			Y
Baer		X	Y
Forman	X		Y

Item # 2:

Case No: 2013-2

Jodi Scherl

Block: 1102 Lot(s): 10 & 11.02

Application for a Minor Subdivision

A duly noticed hearing was conducted on this application for a minor subdivision. Appearing and sworn in was attorney for applicant Matthew Capizzi, 11 Hillside Avenue, Tenafly, NJ & Michael Hubschman, Planner, 263A Washington Avenue, Bergenfield, NJ.

Applicant is seeking to excise a small portion of 157 East Hamilton Avenue and deed that to 232 Lydecker Street, approximately 3,000 square feet of area or 65 square feet of frontage. Ms. Scherl owns both properties. They fully confirm to RAA requirements, transfer would not affect this.

Mr. Demetrakis commented that this subdivision would just transfer approximately 3,000 square feet from one subdivision to another; does not render either lot nonconforming with respect to square footage. Mr. Capizzi confirms.

The letter dated March 26, 2013 regarding the application from Kenneth Albert is referred to, no comments from Mr. Capizzi, applicant will comply with conditions set forth in the letter.

Exhibit A1 is entered, colorized version of minor subdivision site plan, titled Minor Subdivision 157 East Hamilton Avenue & 232 Lydecker Street, Dated January 16, 2013, Revision January 28, 2013.

No Board comments.

No public comments received.

Upon Board discussion the matter was approved and a resolution shall be prepared.

The Board voted as follows:

PB Member	Motion	Second	Vote
Demetrakis			Y
Baer			Y
Forman		X	Y
Fay			Y
Mann	X		Y

No public questions or comments were received by the Board.

The next meeting is scheduled for April 4, 2013 at 8:00PM.

The meeting was adjourned at approximately 8:30PM.

Respectfully Submitted

Deborah Gallagher