

**BOROUGH OF PARK RIDGE
ZONING BOARD OF ADJUSTMENT
PLANNING BOARD
JOINT SPECIAL MEETING
FEBRUARY 11, 2019
7:00 PM**

The Joint Special Public Meeting of the Zoning Board and the Planning Board of the Borough of Park Ridge was held at Borough Hall on the above date and time.

Vice Chairman Mr. Pantaleo of the Zoning Board stated that the meeting was being held in accordance with the Open Public Meetings Act.

Chairman Von Bradsky stated that the meeting was being held in accordance with the Open Public Meetings Act.

Chairman Von Bradsky asked everyone to stand and recite the Pledge of Allegiance.

Swearing in of new appointments and reappointments for the Planning Board

The following members were sworn in by Attorney Rupp.

Class IV Member:

Donald Browne (term ending December 31, 2022)

Alternate 2:

David Fasola (term ending December 31, 2019)

Roll Call Zoning Board:

Chairman Jake Flaherty	Absent
Mr. Mike Curran	Present
Mr. Gary Ingala	Present
Mr. Frank Pantaleo	Present
Mr. Jeff Rutowski	Present
Mr. William Walker	Present
Mr. Steve Clifford	Present
Dr. Gregory Perez	Absent

Roll Call Planning Board:

Chairman Peter Von Bradsky	Present
Ms. Jessica Mazarella	Present
Councilman Robert Metzdorf	Present
Mr. Ray Mital	Present
Mr. Mark Bisanzo	Present
Mr. Donald Browne	Present
Mr. Donald Schwamb	Absent
Mr. Nick Triano	Present
Mr. Stephen Jobst	Present *7:31 arrival
Mr. David Fasola	Present

Also Present:

Mr. William Rupp	Present
Ms. Tonya Tardibuono	Present
Mr. Joseph Burgis	Present

Board Discussion

Study Session given by Planner Joseph Burgis.

Mr. Burgis spoke about why we are holding this class. He said that we are not here to talk about any specific application. This class is an overview as to what board members are allowed to say and do.

Mr. Burgis spoke about how it is important to have a strong Chairperson to lead the board. He gave an example of an application he had in Rockaway where the Chairman told the board and audience up front the laws and what should and should not be said.

Mr. Burgis spoke about cell phones and how they should never be used to pass messages about a specific application back and forth. All text messages are subject to OPRA.

Mr. Burgis stated that it is inappropriate to discuss a hearing away from the table. Municipalities have been fined for this reason alone. Morris County had an application where the board and audience were nasty to the applicant in a RLUIPA (Religious Land Use and Institutionalized Persons Act) case and in the end the municipality was fined 3.4 million for that behavior. In municipality in Westchester was fined 4.6 million for a Mosque application because of comments the board and public made.

In an application it is important to confirm experts as professionals. They are allowed to give opinions. If they are not an expert they can only be a fact witness.

Mr. Burgis spoke about the different type of applications, the negative and positive criteria and what no substantial detriment to the public good meant.

Mr. Walker asked if an applicant said they were building a large number of homes, but that would have no impact on the school system. How would he know if that is correct information? Mr. Burgis said that would be the Planners job to step in and then he explained how he would handle a school occupancy question.

Mr. Rutowski commented that he believed you could not speak about the impact on schools or taxes in an application. Mr. Burgis explained in detail what is allowed to be discussed in different type of applications.

Mr. Burgis spoke about physical feature test.

Mr. Burgis commented that a planner can give you his expert opinion and lead you in a certain direction, but it is not proper for them to tell you how to vote.

Mr. Burgis explained what RLUIPA (Religious Land Use and Institutionalized Persons Act) is and how an application is handled when it is a RLUIPA case. If you are to deny a case where RLUIPA is involved they can then take you to federal court to appeal.

Mr. Burgis spoke about master plans and why every municipality needs a master plan, what it consists of and how often the plan needs to be updated.

Mr. Burgis spoke about looking over the site of an application. How you should go about it and how it should be noted on the record that you did look at the site. He pointed out that a discussion about an application should never take place anywhere but at a scheduled meeting. If somebody asks you a question you can answer as to what type of an application it is then you should say if you have any more questions please come to the hearing.

Mr. Burgis gave a brief history on affordable housing.

Mr. Rutowski asked if a witness is finished and later on in the hearing the board has more questions for him can he be called back up. Mr. Rupp replied yes.

Mr. Rupp made a point to discuss how it is important to control the public. Mr. Burgis commented that some of his boards have a 3 minute comment/question limit on the public per person.

The meeting was adjourned on a motion from Mr. Ingala, seconded by Mr. Rutowski, and carried by all.

The meeting was adjourned on a motion from Mr. Mital, seconded by Councilman Metzdorf and carried by all.

Respectfully Submitted,



Tonya Tardibuono