

**PLANNING BOARD
BOROUGH OF CLOSTER, NEW JERSEY
MINUTES OF WORK SESSION & SPECIAL SESSION**

Wednesday,
June 4, 2008
8:00 P.M.

Prepared & Submitted by:
Linda Patentas,
Acting Planning Board Clerk

stipulation was raised that a sign must be placed in the front window directing that cars must enter through the back and both pick up and drop off students there. Case was opened to the public but no one was heard. Mr. Chagaris was to contact Ed Rogan about a memorialization.

6. 7. Block 1601, Lots 1 & 2
189 Homans Avenue
Case No. P-2008-06

Applicant: K & H Group
Attorney: David Watkins

Application for preliminary site plan approval and final site plan approval regarding building height, front yard, side yard, set back, required parking spaces, and minimum open space along property line. Sean Kim, an associate of David Watkins, 285 Closter Dock Road, Closter, NJ 07624 appeared on behalf of the applicant. About 20 items of Mr. DeNicola's letter, dated May 19, 2008, were suggested for site plan visions, primarily the actual site layout. Mr. DeNicola suggested that the third parking lot was not as necessary, and could possibly fair better as green space. Reduction of impervious coverage was suggested, as Mayor Heymann noted wetlands areas would be appropriate if there was too much building. Mr. Lignos suggested that Mr. Hubschman prepares testimony to the reason that third driveway cannot be green, that the parking spaces cannot be extended on the South West drive. A motion for perfection was made by Dr. Friedman, and seconded by Dr. Maddaloni. Hearing is scheduled for June 26, 2008.

8. Block 2305, Lot 9
246 Parsells Lane
Case No. P-2008-07

Applicant: Diamond Engineering
Attorney: David Watkins

This major soil movement application was submitted on May 19, 2008. Review is scheduled for the June 4, 2008 Work Session Meeting. Sean Kim, an associate of David Watkins, 285 Closter Dock Road, Closter, NJ 07624 appeared on behalf of the applicant. There were no objections to comments. Mr. DeNicola suggested that a more exact address be provided, and that notice should be taken on the effects of the neighbors, primarily those adjacent to the proposed location of the soil movement. In addition, the driveway suggested towards the garage could potentially create large areas of flooding and asked to be reconsidered. Dr. Maddaloni made a motion for perfection, and Dr. Friedman seconded it. Hearing is scheduled for June 26, 2008.

9. Block 1207, Lot 2
280 Herbert Avenue
Case No. P-2008-08

Applicant: Closter Ballet & Piano Academy
Attorney: Elliot Urdang

Application for preliminary site plan approval and final site plan approval was submitted on May 15, 2008. Review is scheduled for the June 4, 2008 Work Session Meeting. Matthew Capizzi, and associate of Elliot Urdang, 19 Engle Street, Tenafly, NJ, appeared on behalf of the applicant. In Mr. DeNicola's letter dated May 28, 2008 suggested some revisions, including a more detailed explanation of the site improvements. There were no objections to the letter, and Mr. DeNicola noted that his office had received a revised copy of the site plans earlier that morning yet did not have the time to review them. Revised architectural to provide full elevations of all different angles of building were requested. Mr. Lignos also suggested that testimony be offered as to why landscape should not be provided as a buffer to the railroad side of the property. Dr. Friedman made a motion for perfection, and it was seconded by Dr. Maddaloni. Hearing was scheduled for July 31, 2008, due to the inability of the engineer to attend the June 26, 2008 Regular Monthly Meeting.

10. Block 2010, Lot 10
11 North Star Road
Case No. P-2008-09

Applicant: M & R Development
Attorney: Jeffrey Kantowitz

This major soil movement application was submitted on May 19, 2008. Review is scheduled for the June 4, 2008 Work Session Meeting. Jeffrey Kantowitz, 200 Executive Drive, West Orange, NJ, apologized that the engineer could not make it to the meeting due to an emergency, yet offered that most of Mr. DeNicola's suggestions seemed minor did not incur any objections. Mr. DeNicola suggested that all tree and bushes be shown in the site plans, especially those on the South Side, and that there should be an indicator of which trees should be removed, if necessary. Also, the shed and rear patio should be marked that they would be removed as part of the application because the application was at maximum impervious coverage. The round grate would need to be identified as well. Mr. Kantowitz did not think that the engineer would find a problem with any of these suggestions. Councilwoman Amitai suggested that the water might possibly miss the seepage pits because of the slope of the land. Mr. DeNicola noted that these seepage pits meet Closter Code. Under Mr. DeNicola's recommendations in his letter dated June 26, 2008, the acknowledgement of landscaping and the grate and the removal of the patio on revised site plans, Ms. Isacoff motioned for perfection. Mr. Pinczewski seconded this motion. Hearing is scheduled for June 26, 2008.

11. Block 2407, Lot 10
9 Pine Hill Road
Case No. P-2008-10

Applicant: MDH Builders
Attorney: David Watkins

This major soil movement application was submitted on May 21, 2008. Review is scheduled for the June 4, 2008 Work Session Meeting. Sean Kim, an associate of David Watkins, 285 Closter Dock Road, Closter, NJ 07624 appeared on behalf of the applicant. Discussion was prompted by Councilwoman Amitai regarding the 4ft drop of soil and how it could potential flood water into the neighbor's property. In addition, Ms. Isacoff noted that a 24inch maple tree was no longer there. Under the stipulations of Mr. DeNicola's letter, dated May 28, 2008, and the verification of the 24 inch maple and how it was removed, a motion for perfection was made by Dr. Friedman and seconded by Mayor Heymann. Hearing is scheduled for June 26, 2008.

12. Block 510, Lot 16
29 Hawthorne Terrace
Case No. P-2008-11

Applicant: Dae Ung Kim
Attorney: James Caporrino

This major soil movement application was submitted on May 22, 2008. Review is scheduled for the June 4, 2008 Work Session Meeting. James Caporrino, 530 Main Street, Fort Lee, NJ legally represented the applicant, as did Mr. Lantell, the professional Engineer. MR Lignos suggested that this case reappeared looking very similar to the last time it was denied by the Board. Testimony was suggested that provides comment about what is significantly different from this application than the one denied in the past. Concerns were voiced by Mayor Heymann about the slope of the driveway and by Mr. Lignos about building a 3 story building by placing the third story in the ground. In this particular site, these steep contours would not be deemed acceptable. Based on Mr. DeNicola's letter dated June 3, 2008, a special request for testimony regarding the steepness of the driveway and additional drop-off of the basement beyond the elevation permitted, a motion for perfection was made by Dr. Maddaloni. Dr. Friedman seconded this motion. Hearing is scheduled for June 26, 2008.

14. OPEN MEETING TO THE PUBLIC

Joe Bianco, 7 McArthur Avenue, Closter, NJ, passed out three documents that could help add to the desirable visual environment, creative techniques, and civic design to the Board members. Documents included the Municipal Land Use Act NJ 40-55D-2i, Closter Code 17347-B, and a document from the Cox Book about planning and aesthetics, and the AIA Code of Ethics obligations to the public that promotes use of Architectural talents to better the community. Further re-enforcement for the good work the Board has done thus far; Mr. Bianco hoped that incase criticisms were made that the Board was specifically trying to mold a case to their personal likes, members would be able to present these documents as justification for their actions. Mr. Lignos suggested that those specific design, style, and opinions were not the responsibility of the Planning Board; instead, the responsibility remained in reviewing applications, instead of designing, or re-designing applications. He agreed that the Board is to look at applications with an aesthetic eye, but it was not the Board's job to design it.

Jesse Rosenblum, 65 Knickerbocker Road, Closter, NJ, asked the Board what their attendance policy was, and suggested that there were two members who never seemed to be present. Mr. Lignos made it clear that the position as Board member was voluntary and that most of the absences have been excused for personal reasons. Mr. Rosenblum pointed out Ms. Procida and Mr. Kim, and asked whether an occupational obligation is a valid excuse. Mayor Heymann noted that Ms. Procida's absence was due to parental obligations as opposed to the suggested occupation suggestions. Mr. Lignos suggested that all members ultimately offer services to the Mayor, and the issue of removing members remains in her discretion. Mr. Lignos also noted that as long as he is Chairman, equal treatment of all members will be provided.

15. LIAISON'S REPORT: Councilwoman Amitai suggested a subcommittee be arranged in order to further discuss matters.

16. ORDINANCE DRAFT REVIEW SUBCOMMITTEE: A subcommittee needs to be organized to further discuss matters.

17. MASTER PLAN SUBCOMMITTEE:

Ms. Isacoff shared with the Board that there is concern that Mr. Richard Preiss is falling behind scheulde on the John Street work. There is still much input from the Master Plan Committee and the Mayor that needs to be integrated into the draft report. Also, there is concern from the original intent of the project and what it may result in. An agreement was made to make a conference call with Mr. Richard Preiss before the July 2, 2008 Work Session at 7:30pm until 8:30pm.

18. ADJOURNMENT OF WORK SESSION MEETING:

Before the Work Session Meeting was adjourned, Mr. Chagaris asked the Board for comment on the correspondence of hiring a computer analyst to rescue lost files. Mayor Heymann noted that due to the absence of a full time Zoning and Planning Board Secretary, the Planning Board has extra funds in its budget that it would put towards this process. The cost would be \$400 in order for the analyst to retrieve the

files, or to report that all file are irretrievable. Mayor Heymann made a motion to hire the computer analyst at \$400, and Councilwoman Amitai seconded it.

19. CALL TO SESSION SPECIAL MEETING

20. Block 2009, Lot 2
456 Ruckman Road
Case No. P-2008-04

Applicant: Man Kim
Attorney: Representing himself

This major soil movement application was filed on March 5, 2008. Review is scheduled for the April 2, 2008 Work Session Meeting. Revised to May 7, 2008. Professional Engineer, Michael Hubschman, 263 S. Washington Avenue, Bergenfield, NJ, represented Ms. Kim. There was thorough discussion of the possibility of an underwater stream during soil movement, the elevations and slopes of the property, and the advantages of using swales. The case was opened to the public for questions, where Jim Stathis, 14 Venus Drive, where he asked the Board whether two applications are considered at the same time, considering the fact that this application and another one on North Star road have both filed for soil movement applications and are in just a few feet of each other. Barry Sprung, 12 North Star Road, asked about the actual process of the Planning Board. Mohammed Ishmael, 14 Venus Drive, asked what the plans of the foundations were and how the foundation drainage would be designed. Mr. Ishmael would like an engineer to check the drainage system to make sure that it is not overburdening the current system and that it is big enough to catch water. Councilwoman Amitai offered the Drainage Report prepared by Boswell Engineers to Mr. Ishmael with drainage calculations. Jesse Rosenblum, 65 Knickerbocker Road, Closter, NJ, asked whether the property is maxed out. The case was then opened to the public for comments, where Fran Pappas, 3 Venus Drive, was sworn in, and described the hardship she has undergone with major flooding in her basement in the passed 8 years due to construction on the "Hill." She also mentioned that PSE&G had to come to fix the gas pipes because of the water problems. After the case was closed to the public, the applicant would need to do several things in order to be granted a soil movement permit. First, the applicant would need to propose a driveway with Belgian Block. Slopes would need to be contoured, respecting contour 122, moving back 120 and 118. The applicant would also need to work on recreating a swale and have a catch basin to connect with Ruckman Road. The suggestion of the rain garden in the front northwest corner was raised, as was the suggestion of putting a fence on the correct property line, in addition to heavily landscaping the western edge of the property line. Also, the trees would need to be more clearly located on the site plan, as would the catch basin. New curbs and sidewalks would need to be better distinguished as well. Mr. Lignos made a suggestions that the Department of Public Works of Closter become involved as well, and that they check the municipal drainage systems, especially those on Venus Drive and Ruckman Road. Mayor Heymann offered that the DPW's tasks were already going to be addressed at the next Mayor and Council Meeting, and that it would be taken care of to reassure the neighbors of that area. Mr. Chagaris proposed to write up a resolution. In accordance to the resolution written by Mr. Chagaris with suggestions from the Mr. Lignos and the Board, a motion was made by Mr. Pinczewski in favor a revised site plan that would allow soil movement approval. This motion was seconded by Dr. Friedman.

21. ADJOURNMENT OF SPECIAL SESSION MEETING: Motion made by Dr. Maddaloni and seconded by Councilwoman Amitai to close the session at 11:03 PM.

22. Request for Close Session – Made by Mayor Heymann and seconded by Dr. Maddaloni

23. Final Adjournment – Made by Dr. Friedman and seconded by Mr. Pinzewski at 11:15 PM.
