

**PLANNING BOARD  
BOROUGH OF CLOSTER, NEW JERSEY  
MINUTES OF REGULAR MONTHLY MEETING**

Thursday,  
January 29, 2009  
8:00 P.M.

Prepared & Submitted by:  
**Rose Mitchell**  
Planning Board Clerk

PLANNING BOARD  
BOROUGH OF CLOSTER, NEW JERSEY

MINUTES OF THE REGULAR MONTHLY MEETING

Thursday  
January 29, 2009  
8:00 P.M.

Mr. John Lignos, Chairman, called the Regular Monthly Meeting of the Planning Board of the Borough of Closter, New Jersey held on Thursday, January 29, 2009 in the Council Chambers of the Borough Hall to order at 8:10 P.M. He stated that the meeting was being held in compliance with the provisions of the Open Public Meetings Act of the State of New Jersey and had been advertised in the newspaper according to law. He advised that the Board adheres to a twelve o'clock midnight curfew and no new matters would be considered after 11:00 P.M.

Mr. Lignos invited all persons present to join the Board in reciting the Pledge of Allegiance.

.The following Planning Board members and professional persons were present at the meeting:

John Lignos, Chairman  
Dr. Maddaloni Vice Chairman  
Honorable Sophie Heymann, Mayor  
Councilwoman Amitai  
Adrienne Isacoff  
Mr. Robert DiDio  
Dr. Robert Friedman  
Mr. David Baboo  
Mr. Andy Ouzoonian  
Mr. A. Del Vecchio, Filling In For Arthur Chagaris, Esq., Planning Board Attorney  
Nick DeNicola, P.E., Boswell Engineering  
Rose Mitchell, Planning Board Clerk

The following Planning Board members and professional persons were absent from the meeting:

Mr. A. Chagaris, Board Attorney  
Christine Procida, Alt # 1  
Bing Fabricante, Alt # 2

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Mr. Lignos reads list of correspondence. In regards to said list, Mr. Lignos states that Miele Sanitation will be discussed this evening. Mr. Lignos also announces that the Master Plan can not be finalized this evening due to required noticing in regards to revisions made. Mr. Ouzoonian questions if the Master Plan also needs to be discussed at the Zoning Board. Both Mr. Lignos and Ms. Isacoff state that it does not go to Zoning Board. At this time Mr. Lignos states that the Board does not have a need for a February 4, 2009 Work Session Meeting. And may also be able to cancel the February 26, 2009 Regular Monthly Meeting. This will be confirmed by the end of the meeting.

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Mr. Lignos introduces Mr. Del Vecchio who is filling in for Mr. Chagaris this evening. Mr. Lignos states that the approval of minutes (1-07-09) listed on the agenda will not be approved until the next Work Session Meeting.

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**# 1**

Block 1309, Lot 7  
267 Closter Dock Road  
Case No. P-2008-12

Applicant: RadioMasters (K.Y. Kim)  
Attorney: Representing Themselves

Mr. Lignos states that this application originally came to the mini site plan review and this confirms why the applicant is representing themselves. Mr. Eric Mattes, Chairman of the Improvement Commission states that some of the recommendations made by the Commission were acted on by the applicant. Mr. Mattes makes additional recommendations in regards to the awning. Dr. Friedman motions to approve application. Ms. Isacoff seconds the motion. Everyone present is in favor.

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**# 2**

Block 1607, Lot 3  
570 Piermont Road  
Case No. P-2008-16

Applicant: American Signcrafters  
Attorney: Mr. Lawrence Calli

Mr. Lawrence Calli of Porzio, Broomberg & Newman located at 100 Southgate Parkway, Morristown, NJ comments on history of application. Mr. Lignos comments on Mr. Lenny Sinowitz's (Zoning Officer) comments regarding violation/denial. Mr. DelVecchio swears in Mr. William Ewbank of American Signcrafters located at 171 Freeman Ave, Islip, NY. Mr. Ewbank comments on the dimensions and the location of the sign. Mayor Heymann states that she believes that the heavy-duty pylon is not in character with the building. Dr. Maddaloni asks Mr. Cali if the Pylon pole can be made to look nicer. Mr. Cali states that this can be done. Councilwoman Amitai comments on the height of the sign's letters. Mr. DiDio states that he believes the pylon is too large. Mr. Ouzonian comments on the sign being illuminated. Mr. Lignos speaks of the landscaping of the property. He believes that if the landscaping was spruced up; it could make the sign appear nicer. Mr. Lignos opens the meeting to the public's questions in regards to this application. Mr. Rosenblum of 65 Knickerbocker Road asks if the Pylon is made smaller, will wind impact be checked. Mr. Cali states that a structural analysis will not be checked unless otherwise required. Mr. Del Vecchio swears in Ms. Tsvia Adar (planner for the applicant) of Pennoni Assoc., Inc. located at 210 Malapardis Road, Cedar Knolls, NJ 07927. Ms. Adar gives a brief background of herself. Ms. Adar submits exhibits to the Board Members (labeled A-3-A-6) displaying site photos. Ms. Adar comments on these exhibits handed out. Ms. Adar speaks of the variance the applicant would be seeking (C-1 or C-2). Mr. Lignos opens this section of the meeting to the Board's questions with regards to this application. Dr. Maddaloni questions the setback requirement (in regards to VerVelan Street.) Ms. Adar comments on the setbacks. Councilwoman Amitai asks Mr. DeNicola to give his calculations on the said setbacks. Mr. DeNicola states that although he can not say exactly what it is, it is over fifty feet. Mr. Lignos asks Ms. Adar for an explanation of how this specific property caused a hardship (C-1). Ms. Adar speaks of the conditions of the property. Mr. Lignos states that on the basis of

Ms. Adar's comments, this would not be a hardship. Ms. Adar does believe that the "C-2" Variance would be more appropriate. Mr. Lignos asks what time the lights of the sign will be turned off. Mr. Calli states that there will be no problem in complying with the town's ordinance in regards to sign illumination. Mr. Lignos opens up this portion of the meeting to the public in regards to this application. Mr. Rosenblum of 65 Knickerbocker Road asks about the advantage to the public in having illumination to this sign. Ms. Adar states that the light is not too strong and will only benefit in the immediate area and not from a distance. Mr. Lignos states that any hardship in this case was caused by the applicant's own choice. Mayor Heymann motions to grant variance with stipulations including changing to a brick pylon, nicer landscaping, and ordinance being met in regards to illumination. The motion is seconded by Dr. Friedman. At this time the motion is opened up for discussion. Councilwoman Amitai speaks of the lighting: she does believe that there is enough lighting in that area and the extra lighting of the sign is not necessary. Mr. DiDio states that he believes the sign is too large. Ms. Isacoff also feels the sign is too large and she would prefer to see a sign on the building. Mayor Heymann, Dr. Maddaloni, Mr. Baboo, Mr. Lignos, and Dr. Friedman are all in agreement for the sign's approval. Councilwoman Amitai, Ms. Isacoff, Mr. DiDio, and Mr. Ouzoonian voted against the sign approval. This application is approved (5-4 vote). Mr. Lignos tells Mr. Calli that this application will come before the Board at the next meeting for the purpose of confirmation of all conditions being met.

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### # 3

Block 1718, Lot 6  
28 Fourth Street  
Case # P-2008-19

Applicant: Chu  
Attorney: David M. Watkins Esq.

Mr. Lignos reads a letter (labeled Exhibit B-1) submitted by Mr. Rogan on January 16, 2009 (requested at previous meeting). Mr. Watkins comments on the history of the application. He speaks of the encroachment of the retaining wall on the Borough's property. He states that an agreement was made with the Borough to purchase property for a minor subdivision to eliminate the encroachment. Mr. Del Vecchio swears in Mr. Mark Martins of 657 Greenway Place, River Vale, New Jersey. Mr. Martins comments on the two parts of the property. (One lot owned by Mr. and Mrs. Chu and the other owned by the Borough of Closter.) Mr. Martins speaks of Mr. DeNicola's letter and its said requirements. Mr. Watkins confirms that there are no proposed new improvements to be constructed on the property. Mr. Lignos opens up this portion of the meeting to the public with regards to this application. Mr. Rosenblum of 65 Knickerbocker Road questions what the problem would be if the encroaching structure was removed. Mr. Martins states that this will cause a hardship for the applicant. Mr. Rosenblum speaks of his concerns with the Borough being willing to sell this piece of property when it is the applicant who is at fault. Mr. Lignos opens this portion to the Board. Councilwoman questions the amount the Borough will be receiving for said property. Mayor Heymann states that this is not determined at this time. It still needs to go to public bid, which can not happen until the Planning Board establishes a subdivision. The amount of money to be received from the applicant to purchase said land from the Borough is discussed among the Board. Mr. DelVecchio states that the economics of an application should not be a basis of the Board making a decision. The economical end of it should be decided by the governing body. Mr. DelVecchio also discusses the subdivision and the conditions that should be included if approved by the Board. Dr.

Maddaloni motions to approve with stipulations discussed by Mr. DelVecchio. Mr. Ouzoonian seconds the motion. Mayor Heymann, Councilwoman Amitai, and Mr. Ouzoonian voted in favor. Dr. Maddaloni, Mr. Baboo, Mr. Lignos, Ms. Isacoff, Mr. DiDio and Dr. Friedman voted against the approval. Application is denied (6-3 vote).

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**# 4**

Block 2206, Lot 2  
45 Walker Avenue  
Case # P-2008-20

Applicant Weissman (Burlyuk)  
Attorney: Representing Self

**At this time, this application is postponed.**

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**#5**

Block 2205, lot 3  
232 Anderson Avenue  
Case # P-2008-21

Applicant: Kikun Development  
Attorney: Donna J. Vellekamp

Ms. Vellekamp speaks of this soil movement application. She believes all items have been met on the basis of Mr. DeNicola's requests. Mr. DeNicola comments on his letter dated January 22, 2009. Mr. Ouzoonian questions the sidewalk being replaced. Mr. DeNicola states it would be a straight sidewalk. Mr. Lignos opens up this portion to the public with regards to this application. Jesse Rosenblum of 65 Knickerbocker Road questions if the said property is maxed out (land coverage). Ms. Vellecamp states it is not maxed out. Mr. DiDio motions to approve with sidewalk/curb stipulations. Ms. Isacoff seconds the motion. Everyone present is in favor.

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**#6**

Block 1805, Lots 7 & 8  
395 Blanch Avenue  
Case # P-2008-21

Applicant: John Galcik  
Attorney: David M. Watkins Esq

Mr. Denicola comments on revisions submitted by the applicant. He states that the applicant has met all the requirements. Mr. Lignos reminds the Board that this application has previously been approved. The application is being heard on the basis of the Board's further questions in regards to Mr. DeNicola's requested revisions. At this time, the Board finds these revisions satisfactory.

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At this time, Mr. Lignos states that the Master Plan will be discussed at the next Planning Board meeting.

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At this time, Miele Sanitation issues are discussed. Mr. Lignos asked the Board for their specific comments on this so that Mr. DelVecchio can relay said comments to Mr. Chagaris in order for him to

generate a letter. Dr. Friedman speaks of better oversight of the operation. He believes the state needs to better monitor this property. His main two concerns are odor and truck traffic. Dr. Maddaloni speaks of his concerns of the liquid waste. He also speaks of the size of container trucks being used by Miele sanitation and the concern for that.

Mr. Rosenblum of 65 Knickerbocker Road speaks of the DEP issues in regards to Mr. Miele's use of Wellington Street for their use. He speaks of a prior resolution stating Miele Sanitation needing Site Plan Approval which was never followed through. Mr. Rosenblum states that the Borough did not enforce the said resolution. Mr. Lignos states that Mr. Chagaris will prepare a letter regarding the Miele Sanitation issues.

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Mr. Lignos asks for a motion to cancel the February 4<sup>th</sup>, 2009 Work Session Meeting and the February 26, 2009 Regular Monthly Meeting and to include a special meeting with the March 4<sup>th</sup>, 2009 Work Session Meeting. Mr. DiDio makes said motion being seconded by Dr. Friedman. Everyone present is in favor.

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Motion is made to adjourn the meeting by Mr. DiDio and seconded by Dr. Friedman. Meeting is adjourned at 10:31PM.