

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

Wednesday,
January 7, 2009
8:00 P.M.

Prepared & Submitted by:
Rose Mitchell
Planning Board Clerk

PLANNING BOARD
BOROUGH OF CLOSTER, NEW JERSEY

MINUTES OF THE WORK SESSION

Wednesday,
January 7, 2009
8:00 P.M.

Mr. John Lignos, Chairman, called the Reorganization/ Special/Work Session Meeting of the Planning Board of the Borough of Closter, New Jersey held on Wednesday, January 7, 2009 in the Council Chambers of the Borough Hall to order at 8:08 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.

Mr. Lignos states that the reorganization section of the meeting will be discussed first followed by the special meeting and the Work Session Meeting.

Mr. David Baboo took the Oath of office as a new member of the Board. He gives a brief introduction and background of himself.

Mr. Lignos vacated the Chair. Dr. Maddaloni asked for nominations for Chairman. Dr. Friedman nominated Mr. Lignos, seconded by Mayor Heymann. Everyone present voted in favor. Mr. Lignos abstained. Mr. Lignos asked for nominations for Vice-Chairman. Mr. DiDio nominated Dr. Maddaloni, seconded by Mr. Fabricante. Everyone present with the exception of Dr. Maddaloni who abstained is in favor. Mr. Lignos asked for nominations for Secretary. Mr. DiDio motions to nominate Councilwoman Amitai, seconded by Mr. Ouzoonian. Everyone present is in favor. Mr. Lignos states that even though Councilwoman Amitai is not present this evening, She has agreed to remain Board secretary.

Mr. Lignos asked for nominations for Board Attorney. Dr. Friedman motions to nominate the office of Beattie Padavano represented by Arthur Chagaris, Esq., seconded by Mr. Ouzoonian. Everyone present is in favor. Mr. Lignos asked for nominations for Board Engineer. Dr. Maddaloni motions to nominate Boswell Engineering represented by Nick DeNicola, P.E., seconded by Mr. DiDio. All members present voted in favor.

Mr. Lignos asked for a motion to adopt the 2009 meeting dates which have been approved at a previous meeting. Motion to adopt is made by Mr. DiDio and seconded by Dr. Friedman. Everyone present is in favor.

Mr. Lignos asks for a motion to adopt the 2009 Fee Schedule. Motion is made by Dr. Friedman and seconded by Mr. DiDio. Mr. DeNicola speaks of the additional escrow required for retaining walls. Mr. Lignos states that the fee schedule will be adopted as shown at present. Any other changes will have to be brought up in the future as a new adoption. Everyone present is in favor.

Mr. Lignos asks for a motion to adopt the 2009 official newspaper which is either the Bergen Record or the Press Journal. Mr. Ouzoonian motions to approve seconded by Dr. Maddaloni. Everyone present is in favor.

Mr. Lignos discusses the Planning Board Subcommittees. The first one mentioned is the Mini-Site Plan review. Mr. Lignos states that there are three people presently on said SubCommittee: (Mayor Heymann, Mr. Lignos and Mr. Ouzoonian.) Mr. Lignos states that a fourth person can be added in the future. Dr. Friedman motions to approve the three persons mentioned to remain on the mini site plan committee, seconded by Mr. DiDio. Everyone present is in favor. The next committee mentioned is the Ordinance Draft Review Subcommittee which includes Mayor Heymann; Councilwoman Amitai; Mr. DeNicola, Alternate: Dr. Friedman. A motion is made by Mr. DiDio and seconded by Dr. Friedman for these members to remain on the Ordinance Draft committee. Everyone present is in favor. The next committee mentioned is the PLANNING & ZONING SUBCOMMITTEE which includes Mayor Heymann, Councilwoman Amitai, Dr. Maddaloni, Nick DeNicola, and Alternate: John Lignos. Mr. Lignos states that this committee can not have more than three members when the committee gets together. Motion is made by Mr. DiDio and seconded by Dr. Friedman for said members to remain. Everyone present is in favor. The next committee mentioned is the COAH. Members include Mayor Heymann, Dr. Friedman, Ms Procida as alternate and Councilwoman Amitai. Motion is made by Mr. DiDio and seconded by Dr. Friedman for the said members to remain. Everyone present is in favor. The final Subcommittee mentioned is the Master Plan Review which includes Mayor Heymann, Councilwoman Amitai, Ms. Isacoff, and alternate Mr. DiDio. Motion is made by Mr. DiDio and seconded by Dr. Friedman for said members to remain. The Reorganization portion of this meeting is adjourned at 8:27 P.M. The public meeting begins at 8:27PM.

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

John Lignos, Chairman
Dr. Maddaloni Vice Chairman
Honorable Sophie Heymann, Mayor
Mr. Fabricante, Alt # 2
Adrienne Isacoff
Mr. Robert DiDio
Dr. Robert Friedman
Mr. David Baboo
Mr. Andy Ouzoonian
Arthur Chagaris, Esq., Planning Board Attorney
Nick DeNicola, P.E., Boswell Engineering
Rose Mitchell, Acting Planning Board Clerk

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

Councilwoman Victoria Amitai
Christine Procida, Alt # 1

Mr. Lignos reads list of correspondences and asks if anyone from the Board has any comments in regards to any of the mentioned correspondences. Mr. Chagaris comments on the Miele Sanitation letters and states this issue needs to continue to be discussed at a future planning board meeting. This will be put on the agenda for the February 4, 2009 Work Session Meeting.

Motion was made by Dr. Friedman and seconded by Mr. DiDio to approve December 3, 2008 Special/Work Session Monthly Meeting minutes. Everyone present is in agreement for approval with the exception of Mr. Baboo and Mr. Ouzoonian who both abstained. Motion is made by Mr. DiDio and seconded by Ms. Isacoff to approve October 1st, 2008 Work Session Meeting with one correction made. Everyone present is in agreement for approval with the exception of Mr. Baboo who abstained.

1

Block 1805, Lots 7 & 8
395 Blanch Avenue

Applicant: John Galcik
Attorney: David M. Watkins

Mr. Lignos states a change on the agenda for **Item # 3.** (395 Blanch Avenue). Said item gets changed to **# 1** as requested by Mr. Watkins (Attorney for the applicant). Mr. Watkins comments on the easement in regards to this application. Mr. Watkins speaks of the ordinance in regards to the subdivision. He states he should not have to seek a variance. Mr. Chagaris discusses said ordinance with Mr. Watkins. Mr. Chagaris states that an advisory opinion can not be given. Mr. Lignos comments on said application with regards to a variance. Mr. Chagaris swears in Mr. Lantelme of 101 West Street, Hillsdale, NJ 07642. Ms. Isacoff asks for confirmation that the applicant will be seeking a variance. Mr. Watkins confirms that his client does want to seek variance relief. Mr. Chagaris clarifies that the notice submitted for last date is considered still sufficient. He also states that recent plans will have to be modified to show a variance will be required. Mr. Watkins states that issues mentioned in Mr. DeNicola's letter will be complied with. Mr. Lantelme comments on plans set before the Board revised on 10/20/08. Mr. Lignos asked the Board for their comments in regards to this application. Ms. Isacoff asks Mr. Watkins if a promise will be made that no additional construction will be done on lot. Mr. Watkins comments that although it is not a "promise" but based upon the current DEP regulations, nothing else will be allowed on this property. Mr. Watkins comments on the tree issues. Mayor Heymann comments on the Mayor and Council's policies regarding these issues. Mr. Lignos opens this portion to the public's questions in regards to this application. Mr. Rosenblum of 65 Knickerbocker Road asks if any part of this property is wetlands. Mr. Lantelme states that this has not been established at this point. Mr. Rosenblum questions what is in the fenced in areas of this property. Mr. Lantelme does not recall seeing anything. Mr. Lignos opens this portion to the public's comments in regards to this application. Mr. Rosenblum, 65 Knickerbocker Road comments on his suggestions for the Board resolution regarding the widening of the street. Mr. Chagaris states that this can not be done. Mr. DeNicola comments on the right away. Mr. Lignos asked the Board if anyone has any final comments. Mr. DiDio asks Mr. DeNicola if the wire fence on the property that is being conveyed to the Borough will be removed. Mr. DeNicola states that the Borough can remove this. Mr. DiDio asks if the applicant can remove it prior to conveying to the Borough to save the Borough from the expense. Mr. DiDio motions to approve this application with the stipulation of the mentioned fence, along with Mr. DeNicola's requests and the trees being maintained in front of the building. This motion was seconded by Dr. Friedman. Everyone present is in favor with the exception of Mr. Baboo who abstained.

2

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

Applicant: American Signcrafters
Attorney: Mr. Lawrence Calli

As requested by the Board, This applicant is now represented by an attorney. Mr. Lawrence Calli of Porzio, Broomberg & Newman located at 100 Southgate Parkway, Morristown, NJ comments on history of application. Mr. Calli states that he believes that Mr. DeNicola's requirements have been met. Mr. DeNicola agrees. Mr. Chagaris reminds the Board that this application still needs to be perfected. Motion is made by Ms. Isacoff and seconded by Dr. Friedman to perfect this application. Everyone present with the exception of Mr. Baboo who abstained is in favor.

3

Block 2004, Lot 12
39 Yale Place
Case No: P2008-18

Applicant: Kikun Development Group, LLC
Attorney: Donna J. Vellekamp

Mr. Lignos reminds the Board that the applicant was told at the prior meeting that a licensed professional must be present for this evening's meeting. Mayor Heymann recused herself from this application. Mr. Chagaris swears in Mr. Steven Klestner of 61 Hudson St. Hackensack, NJ. Ms. Vellekamp speaks of the tree issues mentioned before. Mr. Klestner comments on most recently submitted plan revised on December 2nd, 2008. Mr. DeNicola comments on the maximum height of retaining wall shown on drawing. Mr. Klestner states the exposed height will be four feet. Ms. Isacoff asks about trees. Ms. Vellekamp speaks of approved tree removal application. Mr. Lignos opens this portion of the meeting to the public's questions in regards to this application. Dr. Goldberg of 75 Harvard Street speaks of the tree removal for this site. Dr. Goldberg speaks of the letter sent to the Board dated Dec. 8, 2008 from The Environmental Commission. Ms. Mitchell states that a copy of the plans revised December 2nd were put in the Environmental Commission's mailbox as per the request of David Scholz. As of now, response was not received from the Commission. Dr. Goldberg asks Mr. Klestner why trees are being removed. Mr. Klestner answers said questions. Mr. Chagaris states that the trees removes have already been approved by the Borough's certified experts. Dr. Goldberg states that the tree removal application should be incorporated with the soil movement application Dr. Goldberg states that he feels that trees should not be allowed to be removed prior to soil movement approval. Ms. Vellekamp states that her client followed all procedures and has met all requirements. Ms Isacoff comments on both Ms. Vellekamp's and Dr. Goldberg's points of view.

She comments on her concerns with the problems in regards to water runoff especially with major slopes. Mr. Lignos states that the applicant has been granted approval from the Borough regarding the trees. He states that concerns about the trees can not be fixed by the Planning Board considering the Borough's professionals have followed Borough Ordinance. Motion is made by Dr. Maddaloni motions to approve this major soil application with the stipulations of tree mitigation, two year maintenance bond and retaining wall certification being met. Dr. Friedman seconds this motion. Everyone present with the exception of Mr. Baboo who abstained is in favor.(Mayor Heymann recused herself).

#4

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

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

The applicant submitted additional drawings at this evening's meeting. Mr. Lignos states that the application needs to continue at the January 29, 2009 Regular Monthly Meeting on the basis of having to still review the said drawings. The applicant comments on the drawings submitted. Mr. Lignos states that the Improvement Commission needs to receive a copy of the drawing and a member of the Commission should be present for the January 29, 2009 meeting.

At this time, The Master Plan is discussed. Mr. Lignos asks Ms. Jennifer Rothschild to stand forth regarding corrections previously discussed within the Historic section. Ms. Rothschild states that the change is on **Page 19** under recommendations speaking of sites and districts. Ms Rothschild suggests that for future Planning Board Master Plan Subcommittee members It would be a good idea to have someone from other commissions such a Historic and Zoning Board to help avoid future issues. Mr. Lignos opens this portion to the public's comments with regards to the Master Plan. Mr. Rosenblum of 65 Knickerbocker Road asks for clarification in regards to the Homans/High Street location spoken of on **Page 24**. Mayor Heymann states that the report should read as South of Homans Ave. and East of Piermont Road. Mr. Lignos agrees. Mr. Rosenblum comments on the Zoning for this mentioned area. Mr. Rosenblum recommends that a developer be sent for a variance for the Homans/High area in order to keep better control. Mr. Lignos states that the Board will still have control. Mr. Lignos speaks of better planning this portion. Mr. Rosenblum speaks of the "mixed-use" spoken of under the recommendations section on **page 25** of said report. He speaks of the effect on variances with regards to this. Mr. Lignos states that said comments on report do not mean the Board is changing the ordinance for the variances. Mr. Lignos thanks Ms. Isacoff for her patience and all her work with the Master Plan. Ms Isacoff motions to accept the revised Master Plan received this evening with the corrections mentioned in respect to Homans /Piermont Area and clarification of Historic sites and districts. Mayor Heymann seconds the motion. Everyone present with the exception of Mr. Baboo who abstained is in agreement.

The Special Meeting Portion is ended at 10:08 PM. Mr. Lignos announced a five minute recess will be taken prior to the Work Session portion beginning.

The meeting resumes at 10:16 PM with Dr. Maddaloni taking over for Mr. Lignos.

#5

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

Applicant: Chu
Attorney: David M. Watkins Esq.

Mr. Chagaris comments on the deficiencies on the basis of Mr. DeNicola's letter. The outstanding issue at this point is that the application is lacking written authorization from the Borough. Mr. DeNicola and Mr. Chagaris' recommendation is that this application be conditionally perfected with the stipulation of the submission of the required documentation by the applicant on the behalf of the Borough ten days prior to the Jan. 29, 2009 meeting. Mr. DiDio motions to perfect with included stipulation. Mayor Heymann seconds the motion. Everyone present with the exception of Mr. Baboo who abstained is in agreement.

#6

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

Applicant Weissman (Burlyuk)
Attorney: Representing Self

Mr. Chagaris swore in Mr. Robert Weissman of 686 Godwin Avenue, Midland Park, NJ. Mr. DeNicola discusses issues stated in his letter dated January 5, 2009. Mr Weissman states he will be able to meet these said requirements. Mr. DiDio questions if the depth of the wall is included in the calculations in regards to impervious coverage of the property. Mr. DiDio makes a motion to perfect with stipulation that requirements are met in regards to Mr. DeNicola's letter. Mayor Heymann seconds the motion. Everyone present with the exception of Mr. Baboo who abstained is in agreement.

7

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

Applicant: Kikun Development
Attorney: Donna J. Vellekamp

Mr. DeNicola comments on his letter dated January 5, 2009. Mr. DeNicola states that the application needs to be revised in regards to the tree removal. Ms. Vellekamp states the amount of trees will be amended on the application. She states that Mr. Klestner will take care of issues mentioned in Mr. DeNicola's letter. Ms Vellekamp states that this property borders the Borough of Alpine and that she has requested an additional list from their municipality. Motion is made by Ms Isacoff to perfect with the stipulation of Mr. DeNicola's requirements being met. Mr. DiDio seconds the motion. Everyone present with the exception of Mr. Baboo who abstained is in favor.

At this time, Dr. Maddaloni opens the meeting to the public. No comments at this time.

LIAISON'S REPORT

Councilwoman Amitai is absent. So there are no comments at this time.

Mr Chagaris states he would like to add one more item before adjournment of meeting. He speaks of changes that should be made regarding perfecting an application. He states that an application should not come before the Board until all Engineering requirements are met. Mr. DeNicola states that this spoken of procedure will in reality slow the process down. The Board discusses the different ways to go about this. Dr. Maddaloni suggests waiting for Mr. Lignos before discussed any further. Mr. DiDio motions to adjourn meeting. Dr. Friedman seconds the motion. The meeting is adjourned at 10:47 PM.