

**PLANNING BOARD
BOROUGH OF CLOSTER, NEW JERSEY**

**MINUTES OF
WORK SESSION MEETING**

Wednesday,
May 6, 2009
8:00 P.M.

Prepared & Submitted by:
Rose Mitchell
Planning Board Clerk

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Wednesday
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8:00 P.M.

Mr. John Lignos, Chairman, called the Work Session Meeting of the Planning Board of the Borough of Closter, New Jersey held on Wednesday May 6th, 2009 in the Council Chambers of the Borough Hall to order at 8:00 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:

Mayor Sophie Heymann
Councilwoman Amitai
John Lignos, Chairman
Dr. Maddaloni Vice Chairman
Adrienne Isacoff
Mr. Robert DiDio
Dr. Robert Friedman
Mr. David Baboo (arrived at 8:08 PM)
Mr. Andy Ouzoonian
Mr. Arthur Chagaris, 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:
Christine Procida, Alt # 1

Mr. Lignos reads list of correspondence.

Motion is made by Mr. DiDio and seconded by Dr. Friedman to approve the minutes of the April 1, 2009 Work Session Meeting .Everyone present is in favor.

Mr. Lignos comments on the purpose of a Work Session Meeting in regards to deeming an application complete or incomplete and reminds the public that comments and questions regarding mentioned applications can be brought up during the regular hearing once the application is deemed complete.

1- Block 1008, Lot 2
434 Demarest Avenue
P-2009-01

Applicant: Gerber Auto Center, Inc.
Attorney: David Watkins, Esq.

Mr. Watkins comments on Mr. De Nicola's letter dated April 29, 2009. Mr. Watkins gives a background of the site. Mr. De Nicola then comments on letter and speaks of each item listed. Mr. Lignos asks Mr. De Nicola if he feels that there would be any reason this application can not be deemed complete. Mr. De Nicola states that he does not have concerns with this application being perfected as long as the applicant complies with all issues stated on said letter. Mr. De Nicola reminds the applicant's attorney that proper soil testing needs to be done. Mr. Watkins states that is not an issue. Dr. Maddaloni comments on the reply received from the environmental commission in regards to the NJDEP contaminated location. Mr. Watkins states that this problem has been taken care of. Mr. Ouzoonian asks if this complies with **section 200-7**. Mr. Watkins states a letter was received from the Mayor and Council in regards to said question. Mr. Chagaris states that a letter was received dated February 10, 2009. Mr. Ouzoonian also states his concerns in regards to **200-67** and if this application would have to go to the zoning board. Mr. Chagaris states that said question needs **testimony**. Mr. Watkins states that this is not a case that needs to go to the Board of Adjustment. Mr. Baboo asks if a phase I inspection has ever been done on property. Mr. Watkins states that **No Further Action** letters have been issued. Motion is made by Dr. Friedman and seconded by Ms. Isacoff to perfect this application with said stipulations regarding Mr. De Nicola's letter and Mr. Chagaris' comments. Everyone present is in favor with the exception of Mr. Ouzoonian who abstained.

2- Block 1607, Lot 1
19 Ver Valen Street
P-2009-04

Applicant: Irani, Aspi
Attorney: Hill Wallack LLP

Mr. Daines (Attorney representing Hill Wallack, LLP) introduces himself. Mr. Lignos asks Mr. Daines to introduce the application in full followed by comments from Mr. DeNicola's letter. Mr. Daines comments on what the applicant is seeking to do in regards to the 2008 Master Plan (**specifically page 12 of report**) He states that this is intended to be a **two phase project**. Mr. Daines states that **Phase 1** will consist of the former Stop & Shop which is proposed to open as a wholesale food store. **Phase II** will consist of the renovation of the existing K-mart section once it is vacated. Mr. Daines discusses the bonding requirements. Mr. Lignos asks Mr. Daines for clarification of the said Stop & Shop section for redevelopment in regards to what other portions of the plaza this will include. Mr. Daines comments on submitted plans. He asks if he can have Mr. Lipari (Project Manager for the applicant) of signature properties give an overview of the proposed project. Mr. Chagaris tells Mr. Daines that can be done but reminds him that it will not be taken as testimony. Mr. Lipari comments on the **two phases** of the project. He speaks of the proposed reconstruction from the prior Stop & Shop to the existing Movie Theater. (Renovation to the existing facades) He also speaks of the rehabilitation of the existing parking lot as part of **Phase I**. Mr. Chagaris asks if the current structure box of the prior Stop & Shop will be demolished and a new one will be installed. Mr. Lipari states that it will be. Mr. Lipari comments on **Phase II** of the project which consists of the existing K-mart (tenant's lease is up in 2015).

Dr. Maddaloni asks if the whole K-mart building will be demolished. Mr. Lipari states that it will not be demolished but the building would be reduced in depth which will also increase the parking in that area. Mr. Chagaris asks Mr. Lipari what the reason is for the **phasing**. Mr. Lipari states that the reason for the phasing is due to the lease obligations. Mr. Lignos speaks to Mr. Lipari in regards to the reconstruction and renovation of the Stop & Shop/ Parking Lot and asks him about the improvement of the entire site. Mr. Lipari comments on the buildings themselves and how the applicant is restricted due to lease obligations. He states that facades will be improved. Mr. Chagaris comments on the current zoning in regards to this proposed project. (He speaks of his concerns in regards to the height of the proposed building height.) Mr. DeNicola comments on his itemized letter dated **May 5th, 2009**. Mr. Daines, Mr. Chagaris, and Mr. DeNicola discuss the revised ordinances in regards to building height. Mr. Daines states that the applicant would plan to stay within the Borough Ordinance height requirements. (in order to eliminate having to go before the Zoning Board). Mr. Daines and Mr. Chagaris discuss the **C** variance requirements in comparison with the **D** variance in regards to the proposed project. Mr. Chagaris questions the building size in regards to **phase 2**. Mr. Lipari feels that this question can be resolved during site plan review. Mr. DeNicola continues with the comments spoken of in his letter. Mr. DeNicola states that any further comments will be related to site plan issues. (**His comments as of now are only in regards to perfection issues**) Mr. Chagaris questions the existing building heights and if a checklist is required. Mr. DeNicola states that the checklist does not get that specific and that this should be a board requirement. Mr. Lignos speaks to Mr. Daines in regards to the Board bringing in a traffic engineer for this project. Mr. Daines speaks of the scope of the traffic analysis. Mr. Chagaris states that the independent traffic site analysis is not a requirement **at this point**, although it is recommended. Mr. Lignos asks the Board Members if anyone feels that any additional information is needed in order to deem this application complete. Ms. Isacoff comments on her concerns in regards to future ordinances (**ex: Master Plan, Green Components**) And how this proposed project will be effected if ordinances are approved in the process of this project. Mr. Chagaris states that the plans would be sufficient as long as the application is approved before the final adoption of the ordinances. On the other hand, if ordinances are approved and adopted before the application is fully approved, circumstances might change. Mr. Daines speaks of the applicant anticipates complying with the Master Plan goals and the ordinance changes in regards to the green elements. Councilwoman Amitai comments on the water concerns. Mr. DeNicola states that said concern is not a perfection issue. (**it is more of a site plan issue and will come up later on in review**). Dr. Maddaloni questions Mr. Daines in regards to the rehabilitation of the parking lot. Mr. Daines speaks briefly of the reconstruction of the parking lot. Mr. DeNicola comments on the parking lot being reconstructed in phases (**for the purpose of parking still having to be available while proposed work is being done**). Mr. Lignos asks Mr. Daines to have a phasing plan for the board to review in regards to the staging of the said reconstruction. Mayor Heymann asks Mr. Daines what the intention would be in regards to landscaping on the Homans Avenue side. Mr. Daines states that this will be addressed during the hearings. Mr. Ouzoonian asks Mr. Daines if future plans will be presented in computer form. Mr. Daines states that power point presentations will probably be used in the future. Mr. Lignos asks Mr. Daines to submit computer renderings to the board. Mr. Daines states his concerns in regards to the height (**25 vs. 36**) Mr. DeNicola states that the Borough should have the correct height requirement to the applicant prior to the renderings being submitted. Mr. Ouzoonian speaks of the existing sewage and drainage lines and if these will be

tested. Mr. Lignos asks Mr. Daines to supply testimony in regards to drainage testing. Councilwoman Amitai asks how proposed project will effect the COAH obligation. Mr. Daines speaks of state's required COAH. Mayor Heymann comments of the **2.5 %** obligation. Mr. Lignos asks Mr. Daines to provide (**during the public hearing**) testimony to the COAH ramifications. Mr. Lignos speaks to Mr. Daines in regards to having a special meeting to help the project to move along quicker. (**in anticipation of applicant's deadlines**) Mr. Lignos asks if any members from the Borough's commissions (**who are present at this time**) are in need of any additional information regarding application. Eric Mattes of the Improvement Commission comments on the submitted plans and speaks of cross sections and elevation issues. At this time, said application is deemed incomplete and will be reviewed again at the **June 3rd, 2009 Work Session Meeting**.

Mr. Lignos announces a five minute recess at 9:39 PM. The meeting is called back to order by Mr. Lignos at 9:52 PM

Mr. Lignos opens this portion of the meeting to the public. There are no comments at this time.

Councilwoman Amitai speaks in regards to the Liaison's report. She speaks of the meeting to be held on June 18, 2009 (**Planning Board Subcommittee**)

Mayor Heymann comments on the COAH Report.

Mr. Lignos states that items **# 6 & 7** were intended to be discussed at the Board's subcommittee meeting (**Discussion of Shade Tree Issues & Discussion of Downtown Building Setbacks**) Said issues were brought up at the prior joint board meeting.

Mr. Chagaris comments on the resolution for Case # P-2008-15 Galcik Subdivision Approval and the need for a correction in regards to the sidewalk requirement. (**Sidewalk already exists**) Mayor Heymann motions to approve said revision. Motion is made by Mayor Heymann and seconded by Dr. Maddaloni to approve the **corrected resolution**. Everyone present is in agreement with the exception of Council woman Amitai who abstained. Mr. Chagaris also comments on Case # P-2008-16- Capital One Site Plan approval for a sign. And the need for a correction to be made on said resolution in regards to the original resolution stating that a developer's agreement was needed. (**No Developer's agreement is needed**). Motion is made by Mayor Heymann and seconded by Dr. Maddaloni for approval to delete the need for a developer's agreement within the resolution. Everyone present is in favor.

Motion is made by Dr. Maddaloni and seconded by Mr. DiDio to adjourn meeting. Meeting is adjourned at 10:06PM.