

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

**MINUTES OF
Regular Monthly Meeting**

Wednesday,
December 2nd, 2009
8:00 P.M.

Prepared & Submitted by:
Rose Mitchell
Planning Board Coordinator

PLANNING BOARD
BOROUGH OF CLOSTER, NEW JERSEY

MINUTES OF THE SPECIAL/WORK SESSION MEETING

Wednesday,
December 2nd, 2009
8:00 P.M.

Mr. John Lignos, Chairman called the Special/Work Session Meeting of the Planning Board of the Borough of Closter, New Jersey held on Wednesday, December 2nd, 2009 in the Council Chambers of the Borough Hall to order at 8:02 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 Heymann
Councilwoman Amitai
Dr. Maddaloni, Vice-Chair
Mr. Baboo
Ms. Isacoff
Mr. Lignos, Chairman
Mr. Sinowitz
Mr. DiDio
Dr. Friedman
Mr. Barretta
Mr. Ouzoonian
Mr. Arthur Chagaris, Board Attorney
Mr. DeNicola, P.E., Boswell Engineering
Rose Mitchell, Planning Board Coordinator

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

N/A

Mr. Lignos read list of correspondence. He asked if any board member wanted to discuss any mentioned correspondence. No comments were made at this time.

Motion was made by Dr. Friedman and seconded by Mr. DiDio to approve minutes on **9/22/09, 10/1/09 & 10/13/09** Everyone present agreed with the exception of Mr. Lignos and Councilwoman Amitai who abstained. Motion was made by Mr. DiDio and seconded by Dr. Friedman to approve minutes of October 7th, 2009. Everyone present agreed with the exception of Councilwoman Amitai who abstained.

Item # 2 on agenda (**10 Railroad Avenue for informal review**) was discussed first. Mr. Watkins discussed proposal for Capital Hardware Supply. He introduced Mr. Yoskowitz (Owner of company). Mr. Watkins gave additional information regarding future application. Mr. Chagaris asked questions regarding use of site. Mr. Watkins responded. Mr. Sinowitz stated that he felt there would be no need to officially come before the planning board at this time. Mr. Ouzoonian asked about the zoning ordinance restrictions in regards to work being done on site. Mr. Watkins responded. Mr. Chagaris asked for clarification of business operations. Mr. Yoskowitz responded. Mr. Baboo asked about the materials /components used. Mr. Yoskowitz responded. Mayor Heymann asked about the business operation. Mr. Watkins responded. Mr. Ouzoonian asked about trucking route. Mr. Watkins responded. Mr. DiDio asked about dumpster location on site. Mr. Watkins responded. Dr. Maddaloni asked about the noise on site. Mr. Watkins and Mr. Yoskowitz responded. Mr. Baboo asked about chemicals used. Mr. Yoskowitz responded. There were no other comments discussed at this time.

Item # 1

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

Applicant: Gerber Auto
Attorney: David Watkins

Mr. Watkins discussed history of application. He spoke of and responded to some issues previously mentioned by the board. Ms. Rose Tubito introduced herself (present on behalf of Mr. Pierce) She stated she had one witness and the objecting neighbor to testify regarding this application. Mr. Watkins introduced Mr. Frank Hall of 27 Chestnut Street, Ridgewood, N.J (**architect for the applicant**) who was reminded he was still under oath. Mr. Hall spoke of revisions submitted. He labeled exhibits accordingly.

Dr. Friedman asked about height of bay doors. Mr. Hall responded. Dr. Maddaloni asked about material used for bay doors. Mr. Hall responded. Mr. Ouzoonian asked about roof drain system. Mr. Hall responded.

Ms. Tubito asked about the HVAC equipment and height issues. Mr. Hall responded. Ms. Tubito asked about ventilation of spray booths. Mr. Hall responded referring to sheet A-5. Ms. Tubito asked about height of rear doors. Mr. Hall responded. Mr. Lignos asked for confirmation of spray booth venting. Mr. Hall responded. Mr. Ouzoonian asked about mechanicals in regards to ventilation. Mr. Hall responded.

Mr. Rosenblum of 65 Knickerbocker Road asked about the spray booth exhaust pipe emission. Mr. Hall responded stating that said question should be addressed to the owner of site. Ms. Bayardi of 336 Closter Dock Road asked about size of spray booth. Mr. Hall responded. She asked if more work would be done on site compared to what was previously done on site. Mr. Hall responded stating that testimony was previously made.

Ms Tubito asked about the size of the HVAC unit. Mr. Hall responded.

Mr. Watkins called Ms. Andrea Piazza (professional engineer) who was reminded she was still under oath. Ms. Piazza spoke in detail of revision plans submitted specifically dealing with the turning radius prepared which was labeled AA-3.

Mr. Ouzoonian asked about parking issues and size of vehicles serviced. Ms. Piazza responded. Mr. Barretta asked about parking regarding front on site. Ms. Piazza responded stating that front yard parking would be eliminated. Mr. Barretta also asked about proposed handicapped parking. Ms. Piazza responded. Mr. DeNicola asked about front bay doors. Ms. Piazza responded. Councilwoman Amitai asked about landscape buffers. Mr. Watkins stated landscape issues would be addressed by another witness. Councilwoman Amitai also asked about proposed curbs. Ms. Piazza responded. Mr. Baboo asked about bays regarding RV accommodations. Ms. Piazza responded. Dr. Maddaloni asked for clarification on turning radius. Ms. Piazza responded. Mr. Baboo asked additional questions regarding concerns of turning radius. Ms. Piazza responded. Mr. Lignos spoke of site plan landscape area and the concern for expansion of driveway. Ms. Piazza responded.

Mr. Lignos called a five-minute recess. Time was 9:31 PM. Meeting was called back to order at 9:38 PM.

Mr. Watkins clarified some of the issues/concerns of the board and spoke of the intention of the applicant.

Mr. Ouzoonian spoke his concern about the five foot sidewalk as per Borough code. Mr. Watkins stated that sidewalk issue would be part of a waiver requested.

Ms. Tubito asked about the proposed turning radius. Ms. Piazza responded. Ms. Tubito asked about the right-of-way and handed in an exhibit which Mr. Chagaris marked for identification as O-1 (pertaining to 60 foot width of road). Ms. Piazza mentioned that exhibit appeared to be proposed width as opposed to existing. Ms. Piazza stated that additional questions regarding specific exhibit should be addressed to the land surveyor. Ms. Tubito asked about buffer requirement, sidewalks, parking. Ms. Piazza responded. Ms. Tubito spoke of a police report regarding neighboring property which Mr. Chagaris marked for identification as O-2. Ms. Tubito asked about the depressed curbs. Ms. Piazza responded. Ms. Tubito asked about length of RVs. Ms. Piazza responded. Ms. Tubito asked about the "intensified use" of site. Mr. Chagaris stated that said was testified on previously.

Ms. Hofmann of 179 Closter Dock Road asked about service doors, RV turning radius, parking and landscaping. Ms. Piazza responded.

Mr. Chagaris swore in Mr. Meumann (Landscape Architect) of 777 Franklin Avenue, Franklin Lakes, N.J. At that time Ms. Isacoff announced she needed to recuse herself from this portion of application due to Land Concept (firm Mr. Meumann is employed with.) being a client of hers. Mr. Meumann spoke of proposed landscaping and marked exhibits accordingly. (AA-5, AA-6 & AA-7).

Councilwoman asked if a roof garden was considered. Mr. Meumann responded. Mayor Heymann asked about depressed curbing. Mr. Meumann responded. Mr. Ouzoonian asked about curbs and landscape islands. Mr. Meumann responded. Dr. Maddaloni asked about decorative block borders (to create a more residential look for site) Mr. Meumann responded. Mr. DiDio asked about proposed trees/landscaping regarding eastern side of building. Mr. Meumann responded. Mr. Lignos asked about irrigation. Mr. Meumann responded.

Ms. Tubito asked about elevation of the proposed planting beds. Mr. Meumann responded. Ms. Tubito asked about frontage landscaping and proposed sidewalks. Mr. Watkins stated that said should be addressed to engineer. Mr. Chagaris asked for clarification of question and reminded Ms. Tubito that a waiver will be requested regarding sidewalks.

Mr. Chagaris swore in Mr. Gerber (owner of property) of 444 Fourth Avenue, Westwood, N.J. Mr. Gerber spoke of the current use of site. He also spoke of proposed intention of same. Mr. Watkins asked Mr. Gerber for clarification of how his business is run. Mr. Gerber responded. Mr. Gerber stated that amount of employees will remain the same after proposed project. Mr. Watkins asked for clarification of furnace on site. Mr. Gerber responded stating that said complies with DEP requirements.

Councilwoman Amitai asked about proposed size of building, amount of vehicles serviced and spray booths. Mr. Gerber responded. Dr. Maddaloni asked for clarification of garage bay doors. Mr. Gerber responded. Mr. Baboo asked about percentage of vehicles requiring towing to site and how tow trucks would be able to get RVs in. Mr. Gerber responded. Mr. DiDio asked about rental and sale vehicles and what the plan would be regarding where trailers "for sale" would park. Mr. Gerber responded. Mr. Barretta asked the front garage doors. Mr. Gerber responded. Mr. Chagaris asked about operating hours. Mr. Gerber responded. Councilwoman Amitai asked if operating hours would be changing. Mr. Gerber stated that as of now, he had no intention of changing business hours.

Ms. Tubito asked for confirmation regarding intention for sale of trailers and their proposed parking. Ms. Tubito also asked for clarification of towed vehicles. Mr. Gerber responded. Ms. Tubito asked about Mr. Gerber's knowledge of neighbor's complaints. Mr. Gerber responded commenting on changes made in response to previous complaints. Ms. Tubito asked about garbage pick up. Mr. Gerber responded. Ms. Tubito asked about onset of business and scope of work done at time. Mr. Gerber responded. Ms. Tubito stated that she wanted clarification of use of property (past and present). Mr. Watkins stated that said was irrelevant to application. Mr. Chagaris commented on same reminded Ms. Tubito to keep questioning in line with testimony given by Mr. Gerber. Ms. Tubito asked about amount of vehicles serviced. Mr. Gerber responded.

Mr. Schmidt of 162 Closter Dock Road asked about intention of tenants occupying building. Mr. Gerber responded. Mr. Schmidt asked if business was increased at time of property purchase. Mr. Gerber responded. Ms. Hofmann of 179 Closter Dock Road asked about expanded business and if applicant had to previously be approved by board. Mr. Chagaris stated that said question does not pertain to this application. Ms. Hofmann rephrased question. Mr. Gerber responded. Ms.

Hofmann asked for clarification of parking during tow truck drop offs. Mr. Gerber responded. Ms. Hofmann asked additional questions regarding drop off of vehicles. Mr. Gerber responded. Mr. Lignos asked for clarification of “no front yard parking” Mr. Gerber responded. Mr. Rosenblum of 65 Knickerbocker Road asked about capacity of tow trucks. Mr. Gerber responded. Mr. Rosenblum asked about paint exhaust and ventilation of work areas. Mr. Gerber responded. Mr. D’Amico of 460 Demarest Ave asked about proposed depressed curbing regarding vehicles parking in front and how said would be enforced. Mr. Chagaris commented on mentioned. Mr. D’Amico asked for clarification of turns for RVs on Demarest Avenue. Mr. Gerber responded.

Mr. Lignos announced that the Gerber application will continue at the January 6th, 2010 meeting. Motion was made by Dr. Friedman and seconded by Mr. DiDio to adjourn Special Meeting. Special portion of meeting was adjourned and Work Session portion began at 11:22 PM.

Work Session Portion

Item # 1

Block 1718, Lot 1
484 Closter Dock Road

Applicant: Gezdir
Attorney: David Watkins, Esq.

Mr. Watkins stated that he received Mr. DeNicola’s letter dated December 2nd, 2009 and said that all issues can be complied with. Mr. DeNicola commented on item # 5 in mentioned letter (dealing with section 173-83 of the Borough Code). Mr. Sinowitz commented on same. Mr. DeNicola mentioned that site was in a residential zone. Mr. Sinowitz stated that the new sign would not be larger. Motion was made by Dr. Friedman and seconded by Dr. Maddaloni to perfect application. Everyone present was in agreement for perfection with the exception of Mr. Ouzoonian who voted against. Mr. Lignos stated that this application will be heard at the January 28th, 2009 Regular Monthly Meeting.

Item # 2

Block 2302, Lot 21
25 Wainwright Avenue
Case # 2009-07

Applicant: BCF Equity Property
Attorney: John L. Schettino

Mr. Schettino discussed the size of the lot for the major soil application. He commented on report received from the Borough’s Tree Expert and also spoke of a letter received from Mr. DeNicola. Mr. DeNicola spoke of same. Mr. Schettino stated that all issues from Mr. DeNicola’s letter would be complied with. Mr. Ouzoonian commented on set backs mentioned on submitted plans. Motion was made by Dr. Friedman and seconded by Dr. Maddaloni to perfect application. Everyone present was in agreement for perfection. Mr. Lignos stated that this application will be heard at the January 28th, 2009 Regular Monthly Meeting.

3- Mr. Lignos opened meeting to the public. There were no comments at this time.

Mr. Lignos stated that items # 4 & 5 on agenda (**Liaison's report & Retaining walls**) will be postponed to the next Work Session.

6- Historic Preservation Nominated District

Ms. Irene Stella discussed the nominated district and gave a brief background of the research that was done by members of commission. Motion was made by Mr. Ouzoonian and seconded by Councilwoman Amitai to accept nomination. Mayor Heymann thanked the members of the Historic Preservation Commission. Everyone present was agreement to accept.

7- Mr. Lignos stated that he would be recusing himself from this section of the meeting due to it pertaining to the Closter Plaza application. Dr. Maddaloni chaired this portion of meeting. Mr. Chagaris discussed resolution which was sent to the board. Some members of the board mentioned they felt more time was needed to review resolution prior to voting on approval. Mr. Chagaris stated that resolution would have to be voted on no later than December 14, 2009. Mr. Chagaris spoke of certain items mentioned in resolution. Ms. Mitchell asked for clarification of noticing for special meeting. Mr. Chagaris responded. The board agreed that all additional comments regarding resolution must be sent to Mr. Chagaris by December 7th. The board also agreed that the special meeting for approval of resolution would be held on Monday, December 14, at 7:30 PM. Motion was made by Dr. Friedman and seconded by Mr. DiDio to adjourn special meeting. The meeting was adjourned at 12:06 A.M. (12-03-09) with an executive session following.
