

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

**MINUTES OF  
WORK SESSION MEETING**

Wednesday,  
**July 1<sup>st</sup>, 2009**  
8:00 P.M.

Prepared & Submitted by:  
Rose Mitchell  
Planning Board Clerk

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BOROUGH OF CLOSTER, NEW JERSEY

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Wednesday  
July 1, 2009  
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 July 1, 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:

Mayor Sophie Heymann  
Councilwoman Amitai (**arrived at 9:34 PM**)  
Mr. Lignos, Chairman  
Dr. Maddaloni Vice Chairman  
Mr. Baboo  
Ms. Isacoff  
Dr. Friedman  
Mr. Ouzoonian  
Mr. Dan Steinhagen, Acting Board Attorney  
Nick DeNicola, P.E., Boswell Engineering  
Rose Mitchell, Planning Board Coordinator

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

Mr. DiDio  
Mr. Arthur Chagaris, Board Attorney

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Mr. Lignos read list of correspondence. Mayor Heymann commented on an additional correspondence handed out this evening from Mr. & Mrs. Corvelli regarding O.T. Delivery Systems.

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Motion is made by Mayor Heymann and seconded by Mr. Ouzoonian to approve the minutes of the **June 3<sup>rd</sup>, 2009** Work Session Meeting. All members present were in favor with the exception of Mr. Baboo, Ms. Isacoff and Dr. Friedman who abstained.

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Mr. Lignos began with **item # 2** on the agenda:

Block 1205 Lot 18  
Block 1206 Lot 19  
P-2009-03

Applicant: O.T. Delivery Systems  
Attorney: Mr. Urdang, Esq.

Mr. Lignos stated that this application originally came before the mini site plan subcommittee. The subcommittee did feel it was necessary for this application to come before the full board. Mr. Capizzi of 19 Engle Street, Tenafly, NJ 07670 (of Mr. Urdang's office) introduced himself. He commented on this application and also spoke of Mr. De Nicola's letter. Mr. De Nicola spoke of his letter dated July 1<sup>st</sup>, 2009. Dr. Maddaloni commented on the manufacturing use of this site. Mr. De Nicola asked for confirmation of storage within the warehouse. Mr. Capizzi stated there will be storage within the warehouse. Dr. Friedman asked if there will be testimony regarding the nature of the trucks (**ex: size and quantity of trucks.**) Mr. Capizzi confirmed there will be testimony. Mr. Ouzoonian questioned if site is considered a warehouse or a distribution center. Mr. Capizzi stated that it will be used as both. Mr. Lignos stated that this will be discussed during the testimony. Mr. Lignos asked Mr. Steinhagen if the Planning Board is the proper board to hear this specific application. Mr. Steinhagen stated that testimony is needed in regards to what specifically is being done. Mr. Lignos spoke of Mr. Sinowitz (Zoning Officer) comments in regards to said application. Mayor Heymann asked the applicant about usage of parking spaces. Mr. Capizzi stated that the applicant would use **25-30** parking spaces out of the existing eighty spaces. Mr. Steinhagen stated that the applicant should submit a written document for purposes of the hearing demonstrating why use should be permitted. Motion is made by Dr. Friedman and seconded by Dr. Maddaloni to perfect said application. Mr. DeNicola discussed the perfection stipulations. (**Ex: Clarification of use, Clarification of trucking routes, additional lighting for the parking lot**) Mr. Ouzoonian asked if a drainage plan should be submitted. Mr. De Nicola stated that the impervious area would not be increasing. Mr. Ouzoonian stated he feels the drainage plan would be needed. Mr. Lignos asked the board if anyone else feels a drainage plan should be submitted. Mayor Heymann stated her concerns on this issue. Mr. Lignos asked Ms. Mitchell to poll the board in regards to requiring a grading and drainage plan. Everyone present with the exception of Mr. Lignos who abstained were in agreement that a grading/drainage plan should be submitted. Everyone present with the exception of Mr. Lignos and Mr. Ouzoonian who abstained were in agreement to perfect application.

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

Applicant: Irani, Aspi  
Attorney: Hill Wallack LLP

Mr. Lignos announced that he would be recusing himself from this application. He stated that both the Board attorney and the Borough attorney agreed that this would be best. Mr. Lignos asked Dr. Maddaloni to take over this portion of the meeting. Mayor Heymann stated that there was no conflict of interest on Mr. Lignos' part. Dr. Maddaloni announced the continuation of said application. Mr. Daines of Hill Wallack, LLP stated that he is disappointed in Mr. Lignos'

recusal. Dr. Maddaloni told Mr. Daines that the environmental commission (represented by Dr. Goldberg would like to comment on this application) Mr. Steinhagen advised Dr. Maddaloni to ask Dr. Goldberg to wait until the hearing date. (Dr. Maddaloni does as advised). Mayor Heymann stated that Dr. Goldberg is representing a commission and not speaking as a public resident. Ms. Isacoff stated that the environmental commission was invited to speak on behalf of the commission. Dr. Goldberg commented briefly on the commission's concerns and issues in regards to this application. Mr. Daines commented on Mr. De Nicola's letter dated June 29<sup>th</sup>, 2009. Mr. De Nicola stated his concerns in regards to height revisions. Mr. De Nicola reminded the applicant of specific issues that will need clarification at the public hearing. **(Ex: Truck Routes, trash pick ups, Use of building, Parking issues, Landscaping, Lighting & Light pollution)**. Mr. De Nicola stated that the drainage issues should be resolved prior to the public hearing. Mr. De Nicola told Mr. Daines that an e-mail was sent to the applicant's engineer on **June 1<sup>st</sup>** in regards to said drainage issues. A five minutes recess was taken at 9:47 PM to discuss a special meeting date. The meeting was called back to order at 9:52 PM. Mayor Heymann spoke to Dr. Maddaloni in regards to holding off on a meeting for July 16<sup>th</sup>. **(A special meeting may be able to be held on August 5<sup>th</sup>)**. Mr. De Nicola reminded the Board of a decision needing to be made regarding the previously spoken of traffic study. The applicant decided to opt for August 5<sup>th</sup> as the special meeting date. Motion was made by Dr. Friedman and seconded by Ms. Isacoff to perfect application with the stipulation of the drainage issue being waived until the public hearing. All members present with the exception of Mr. Lignos (who earlier in the meeting recused himself) were in agreement. Motion was made by Mayor Heymann & seconded by Ms. Isacoff in regards to an independent traffic study being done for said application. All members are in agreement with the exception of Dr. Friedman (who needed to leave early.) and Mr. Lignos (recused).

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Dr. Maddaloni turned the meeting back over to Mr. Lignos at 10:16 P.M. Mr. Lignos opened meeting to the public (no comments were made). Mr. Ouzoonian spoke (as liaison for Historic Commission) commented on the upcoming meeting of August 3<sup>rd</sup>, 2009. Mr. Lignos announced that **Item # 5** on the agenda (**regarding retaining walls**) will be put off to the next work session meeting.

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**# 6-** Ms. Mitchell discussed the planning board fee schedule in regards to definition/confirmation of **Other Fees**. Councilwoman Amitai stated that this issue could be brought up at the next ordinance meeting. Mr. Lignos asked for this item to be carried over to the next work session meeting (**after being discussed at ordinance meeting**).

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Mr. Lignos announced that the planning board will be going into closed (**executive**) session in regards to P/B litigation. (**Said items will be discussed with the public at the conclusion of litigation which is expected to be within twenty six weeks.**) Executive session began at 10:21.

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The executive portion of the meeting ended at 10:50 PM. At that time, the board was polled in regards to choosing Mr. Chagaris of Beattie Padovano, LLC to represent the Planning Board against frivolous litigation. All members present were in agreement in choosing Beattie Padovano, LLC (Mr. Arthur Chagaris) to represent the board.

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The meeting was adjourned at 10:52 PM.

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