

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

**MINUTES OF  
Special Monthly Meeting**

Tuesday,  
**September 22, 2009**  
7:30 P.M.

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

PLANNING BOARD  
BOROUGH OF CLOSTER, NEW JERSEY

MINUTES OF THE SPECIAL MEETING

Tuesday,  
September 22, 2009

Dr. Maddaloni, Vice-Chairman called the Special Meeting of the Planning Board of the Borough of Closter, New Jersey held on Thursday, September 22, 2009 in the Council Chambers of the Borough Hall to order at 7:38 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.

Dr. Maddaloni 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  
Mr. Baboo  
Dr. Maddaloni, Vice-Chair  
Mr. Sinowitz  
Dr. Friedman  
Mr. DiDio  
Mr. Barretta  
Mr. Ouzoonian  
Mr. 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:

Ms. Isacoff

---

Dr. Maddaloni read list of correspondence. (Pertaining to Closter Plaza Application Only)

---

Mr. Chagaris swore in Mr. Leonard Sinowitz as newest planning board member.

---

**Item # 1**

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

Applicant: Irani Aspi  
Attorney: Hill Wallack, LLC

Mr. Chagaris confirmed that he received information from the applicant regarding requests made by the board at previous meeting. Mr. Lipari and Mr. Daines of Hill Wallack, LLC introduced themselves. Mr. Daines confirmed that sets of parking lot layout plans were submitted to the board. Mr. Chagaris swore in Mr. Hamilton of 203 Elmwood Avenue, Hohokus, New Jersey. Mr. Hamilton gave a brief background of himself and stated what other planning boards he sat before. Mr. Daines stated that Mr. Hamilton was present for testimony on landscaping and lighting. Mr. Daines confirmed what issues Mr. Hamilton would be addressing. Mr. Hamilton started by discussing the existing landscaping and trees on site referring to Ver Valen Street and Homans Avenue. (Referring to exhibit A-19) Mr. Hamilton discussed the proposed landscaping & trees. (Referring to exhibit A-20). He stated that he took into consideration the comments from the Borough's commission and certified tree expert. Mr. Hamilton introduced exhibit A-40 as part of his testimony. In regards to said exhibit, He spoke of additional ornamental shade trees and additional shrubs for proposed addition. Mr. Hamilton introduced two additional exhibits marked A-41 & A-42. Said exhibits also dealt with proposed trees. Mr. Hamilton introduced another exhibit marked A-43 which dealt with the soil, mulch, etc used for proposed trees. Mr. Hamilton spoke of the proposed lighting for project. The next exhibit was marked as A-44 and dealt with lighting evaluation. Mr. Daines asked Mr. Hamilton to discuss the light pollution issue. Mr. Hamilton responded. Mr. Chagaris swore in Mr. Raymond Cywinski, (Borough certified tree expert) of 256 County Road, Demarest, N.J. Mr. Cywinski stated that he was in contact with Mr. Hamilton over the past week in regards to the proposed landscaping for project. Mr. Cywinski stated he would address the Board's comments/questions. Councilwoman Amitai asked about the percentage of evergreen trees proposed. Mr. Hamilton responded referring to renderings and stated that the estimate for evergreens was sixty to eighty percent. Councilwoman Amitai also asked about LED lighting. Mr. Hamilton responded. Councilwoman Amitai asked about exhibit A-43 regarding planting size and about the proposed pavers and questioned the width of the sidewalk. Mr. Hamilton responded. Mr. Baboo asked about certain pole wires. Mr. Hamilton responded stating mentioned would stay as is. Mr. Baboo asked about the proposed lighting. And what type of fixtures would be used. Mr. Hamilton responded. Mr. Baboo asked about leed certification in regards to type of lighting. Mr. Hamilton stated that the entire project would not be going for leed certification. Mr. Daines confirmed that Whole Foods applied for leed certification. Mr. Baboo asked about the LED wattage. Mr. Hamilton responded. Mr. DiDio asked about the irrigation system regarding asphalt. Mr. Hamilton responded. Mr. DiDio asked about sidewalks/pathway. Mr. Hamilton responded. Mr. DiDio asked about the electrical wires that run along the back of building. Mr. Hamilton stated that he didn't think that mentioned wires would be touched. Mr. Sinowitz asked about storm water run off and impervious coverage. Mr. Hamilton responded Mr. Daines commented on Mr. Sinowitz's mentioned issue. Mr. Segreto objected to Mr. Daines testimony. Dr. Friedman asked about the proposed irrigation system. Mr. Hamilton responded stating that this issue would be addressed at a later phase of the project. Mr. Barretta asked about existing and proposed dumpsters (referring to A-42).and asked how the fencing around the dumpsters would be covered. Mr. Hamilton responded speaking of proposed ever-greens/ buffers. Mr. Ouzoonian asked about the percentage of landscaping and how that

would affect impervious coverage. Mr. Ouzoonian also asked islands would be proposed. (speaking of tree roots and protecting the sidewalks) Mr. Hamilton responded. Mr. Ouzoonian asked about the LED lighting fixtures. Mr. Hamilton responded stating that the LED lighting was proposed to change. Dr. Maddaloni asked about the tree islands. Mr. Hamilton stated that he would provide the board with said information. Dr. Maddaloni asked about planters and lighting. Mr. Hamilton responded. Mr. De Nicola asked for confirmation of height of lighting. Mr. Hamilton confirmed. Mr. De Nicola asked about safety lighting for parking. Mr. Hamilton responded stating that a revised plan would be supplied. Mr. DeNicola asked about the buffer in regards to more space for landscape. Mr. Hamilton responded. Mr. DeNicola asked about the proposed asphalt and the maintenance that would be needed for upkeep. Mr. DeNicola asked about the irrigation system. Mr. Hamilton responded commented on the intention for said issues. Mr. Sinowitz asked about the lighting in regards to effecting surrounding buildings. Mr. Hamilton stated that the surround-ing buildings would be shielded. Mayor Heymann spoke of the LED lights within the Borough.

Councilwoman Amitai commented on the proposed four foot soil planting. Mr. Baboo asked about the diamond island in regards to issues with piping utilities. Mr. Hamilton responded. Mr. Ouzoonian asked about snow piling designation. Mr. Hamilton stated he was not aware of how mentioned would be dealt with. Mr. Cywinski asked if storm drainage lines would be checked regarding landscaping affecting underline utilities. Mr. Hamilton responded.

Dr. Maddaloni opened the meeting to the public's questions. Mr. Bianco of 7 Mac Arthur asked various questions regarding drought resistant program, landscaping, trees, etc. Mr. Hamilton responded and spoke of proposals for Phase I and II of proposed project. Mr. Rosenblum of 65 Knickerbocker Road asked about proposed seating and tables. Mr. Hamilton responded. Mr. Rosenblum asked about waste containers. Mr. Hamilton responded. Mr. Isaacson of 97 Columbus Avenue asked about leed certification. Dr. Maddaloni and Mr. Chagaris stated that said was discussed at previous meeting. Mr. Isaacson asked how this application would be complying with the green element mentioned in the Borough's Master Plan. Mr. Hamilton responded. Ms. Schwartz of 42 Cedar Court asked about the proposed greenery and if it would be increasing. Mr. Hamilton responded and stated it would be increasing. Mr. Mattes asked about specific trees in the parking lot. Mr. Hamilton responded. Mr. Mattes of 72 Primrose Lane asked about proposed trees and also asked about the planting strip along Homans Avenue. Mr. Hamilton responded referring to exhibit A-42. Mr. Karas of 3 Parcels Court asked about proposed landscaping and how said would affect parking spaces. Mr. Hamilton responded. Mr. Johnson of 107 Demarest Avenue asked about proposed pavers regarding frontage and back of property. Mr. Hamilton responded. Ms. Mattes of 72 Primrose asked about the concrete and the proposal for a pathway. Mr. Hamilton responded. Mr. Bianco of 7 Mac Arthur asked about the proposed overhang in regards to landscape benefits. Mr. Hamilton responded. Mr. Johnson asked about other concrete options instead of pavers. Mr. Hamilton responded.

Dr. Maddaloni opened the meeting to objecting attorney's cross examination. Mr. Segreto asked about scale of proposed parking spaces. Mr. Hamilton responded. Mr. Segreto asked about proposed landscaping regarding Phase I. Mr. Hamilton responded commenting on greenery proposed for Phase I. Mr. Segreto asked additional questions regarding landscaping. Mr. Hamilton responded to said questions. Mr. Segreto asked about parking spaces, buffers and

landscaping specifically of Homans Avenue. Mr. Hamilton responded. Mr. Segreto asked additional questions regarding landscaping, proposed planting in the Borough's right of way proposed buffers, lighting height. Mr. Hamilton responded to questioning. Mr. Segreto asked about the green element in regards to Master Plan and if it was considered and incorporated when preparing plans. Mr. Hamilton responded commented on irrigation system, etc. Mr. Daines stated that this question has already been asked and answered. Mr. Segreto asked about landscaping proposal near the existing K-Mart building. Mr. Hamilton responded stating that mentioned was not available. Mr. Segreto asked about LED lighting in regards to building and parking lot. Mr. Hamilton responded speaking of research that was done regarding LED lighting. Mr. Segreto asked about the conflict mentioned regarding landscaping and utility line. Mr. Hamilton responded. Mr. Segreto asked if article nine in the zoning ordinance was considered. Mr. Hamilton stated he did not consider said. Mr. Segreto spoke of "article nine". Mr. Daines objected to question. Mr. Segreto asked about landscape buffers and referred to the Borough's ordinance. Mr. Chagaris stated that the plans have been available. Mr. Segreto asked if proposed lighting complies with the Borough's site plan ordinance. Mr. Hamilton stated that it did. Mr. Segreto asked about dumpster enclosures. Mr. Segreto asked for confirmation of Mr. Hamilton's compliance with the shade tree and environment commission's comments. Mr. Hamilton responded.

Ms. Tubito asked about proposal for landscaping and lighting for the Campbell Area section. Mr. Hamilton responded stating that there were no landscaping/lighting proposals for the Campbell Avenue section due that it's not part of this application's property. Ms. Tubito asked about sky pollution and safety lighting (regarding Centennial Church Area of the Shopping Plaza). Mr. Hamilton responded. Ms. Tubito asked about ornamental lighting. Mr. Hamilton responded. Ms. Tubito asked about overhead wires of Homans Avenue. Mr. Hamilton stated that he did not testify to mentioned. Ms. Tubito asked about loading areas, dumpsters. Mr. Hamilton stated that he did not testify to mentioned. Ms. Tubito asked about sidewalk repair on the Homans Avenue side. Mr. Chagaris stated that mentioned is on the record. Ms. Tubito asked about Phase I and Phase II landscaping. Mr. Hamilton responded.

Mr. Chagaris swore in Mr. Burgis (Professional Planner). Mr. Burgis introduced himself stating his background. Mr. Burgis spoke of some proposed improvements regarding application. He spoke of "article nine of the Borough's zoning ordinance" Mr. Burgis spoke of this application in regards to the Borough's Master Plan. He commented on how much of the proposed project complies with said Master Plan. Mr. Burgis spoke of signage for project. Mr. Daines asked Mr. Burgis to confirm research done for signage. Mr. Burgis marked sign table into evidence (labeled A-45). Mr. Burgis commented on sign table handed out. He continued to speak of the recently adopted Master Plan in regards to this application. Mr. Burgis also referred to 'article nine' of the Borough code. He spoke of the uses mentioned under "article nine". He spoke of proposed building coverage breaking down calculations for Phase I and Phase II. He spoke of zoning regulations, parking space requirements, loading spaces, etc. He also spoke of the proposed signage.

Mr. Burgis confirmed that sign table preparation was done and spoke of said. Mr. Daines asked Mr. Burgis for confirmation of his research in regards to prohibited uses, variances, etc. Mr. Burgis responded.

Dr. Maddaloni opened the meeting to the board members questions for Mr. Burgis. Councilwoman Amitai spoke of “Big Boxed Buildings” and how they affect the town. Mr. Burgis commented on mentioned. Mr. Baboo asked about variance required regarding Phase II of proposed project. Mr. Burgis stated that no variance would be needed. Mr. Baboo stated his concerns about the height variance and asked for additional confirmation of variances needed. Mr. Burgis commented on the height regulations. Mr. Baboo asked about the intensity of the use of the site. Mr. Burgis responded commenting on additional traffic on site. Mr. Baboo asked about ingress/egress. Mr. Burgis responded. Mr. DiDio asked about proposed signage. Mr. Burgis responded. Mr. Daines also commented on signage stating that revised plan was submitted to the board. Dr. Friedman asked for confirmation of Phase I and Phase II in regards to the approved Master Plan. Mr. Burgis responded. Mr. Ouzoonian asked for clarification of the signage table submitted. Mr. Burgis responded. Dr. Maddaloni asked for clarification of buildings to be eliminated. Mr. Burgis responded. Mr. Chagaris asked about the increase of square footage even though number of buildings would be decreased. Mr. Burgis responded. Mr. Chagaris also asked about the intention of this application if the zoning ordinance challenge comes to pass. Mr. Burgis responded. Mr. Chagaris referred to C-2 Variance. Mr. DeNicola asked for sign confirmation in regards to measurement. Mr. Burgis responded. Mr. DeNicola asked an additional question regarding signage and how said fits with Master Plan. Mr. Burgis responded. Mr. Sinowitz also asked about signage on buildings. (referring to the limitation of percentage of sizing of signs). And asked what limits would be set. Mr. Burgis responded. Councilwoman Amitai asked about a signage system that can be used. Mr. Burgis stated that he would address said at the October 1<sup>st</sup>, 2009 Special Meeting.

Dr. Maddaloni opened the meeting to the public’s questions for Mr. Burgis. Mr. Bianco of 7 Mac Arthur Avenue asked about the proposed signage. Mr. Burgis responded. Mr. Bianco asked about intensive use of site. Mr. Burgis responded. Mr. Rosenblum of 65 Knickerbocker Road asked about signage. Mr. Burgis responded. Mr. Rosenblum asked about the proposed parking plan. Mr. Burgis responded. Mr. Rosenblum spoke of a specific section of Master Plan referring to page 14 of said. Mr. Chagaris commented on specific section of Master Plan. Mr. Rosenblum asked for Mr. Burgis comments regarding “article nine”. Mr. Burgis responded. Ms. Axelrod of 80 Taylor Drive asked about the possible negative impact a big boxed building would have on the town. Mr. Burgis responded. Ms. Axelrod also asked about parking/landscape issues. Mr. Burgis responded.

Mr. Chagaris confirmed procedure for the next meeting and announced it would be held on October 1<sup>st</sup>, 2009. Mr. Daines agreed to an extension for the board’s decision until October 30<sup>th</sup>, 2009. The board discussed potential special meetings for the month of October to continue hearing this application.

Motion was made by Mr. DiDio and seconded by Mr. Baboo to adjourn meeting. Meeting was adjourned at 12:05 A.M. (9-23-09)