

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

**MINUTES OF  
REGULAR MONTHLY MEETING**

Thursday  
January 28th, 2010  
8:00 P.M.

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

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Mr. Lignos, Chairman called the Regular Monthly Meeting of the Planning Board of the Borough of Closter, New Jersey held on Thursday, January 28<sup>th</sup>, 2010 in the Council Chambers of the Borough Hall to order at 8:03PM .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  
Mr. Lignos, Chair  
Dr. Maddaloni, Vice-Chair  
Mr. Baboo  
Ms. Isacoff  
Mr. Sinowitz  
Mr. DiDio  
Dr. Friedman  
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:

Mr. Barretta

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Mr. Lignos read the correspondence list. There were no comments regarding mentioned.

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Mr. Chagaris swore in Mr. Baboo to renew his term as a member of the Planning Board.

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Mr. Lignos announced that Case # 2009-06, 484 Closter Dock Road would not be heard this evening. Mr. Lignos stated he would like to cancel both the Work Session and the Regular Monthly Meeting in Feb-

raury and hold a Special & Work Session on March 3<sup>rd</sup>, 2010. Motion was made by Mr. Ouzoonian and seconded by Mr. DiDio regarding mentioned meeting. All present were in agreement.

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Mr. Lignos announced that item # 2 on the agenda (**known as 25 Wainwright Avenue**) would be discussed prior to item # 1 (**known as 434 Demarest Avenue**)

Block 2302, Lot 21  
25 Wainwright Avenue  
P2009-07

Applicant: BCF Equity Property  
Attorney: John Schettino

Mr. Schettino discussed the soil movement application and specifically spoke of the route to be used for soil. Mr. DeNicola commented on his letter sent to applicant on December 2<sup>nd</sup>, 2009. Mr. Schettino stated that the applicant would comply with any of Mr. DeNicola's issues mentioned. Mr. Lignos opened meeting to the public's questions regarding application. There were no questions at that time. Mr. Lignos asked the board members for their questions. Councilwoman Amitai asked for clarification of the proposed FAR stating that the site plan and the architectural drawings show different amounts. Councilwoman Amitai also asked about curbs and sidewalks. Mr. DeNicola responded. Motion was made by Dr. Friedman and seconded by Dr. Maddaloni to approve application with mentioned stipulations regarding FAR revisions submitted, trees and sidewalks. Mr. Sinowitz also requested a copy of revision plans for zoning purposes. Mr. Lignos told applicant that revision drawings must be submitted prior to the release of approved major soil document. Mr. Schettino stated that plans would be submitted.

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

Applicant: Gerber Auto  
Attorney: David Watkins

Mr. Watkins stated that he hoped the board would vote on application this evening following Ms. Tubito's final witness. Ms. Tubito introduced her witness, Mr. Luglio of 365 W. Passiac Street; Rochelle Park, N.J. Mr. Luglio gave a brief background of his qualifications and stated that he would be testifying on traffic and site plan engineering. Ms. Tubito asked Mr. Luglio questions regarding site. She specifically asked about the variances needed. Mr. Watkins stated that there is one variance and the others spoken of were waivers. Ms. Tubito rephrased question. Mr. Luglio responded. Ms. Tubito asked about existing and proposed square footage of site Mr. Luglio responded. Ms. Tubito asked Mr. Luglio for his professional opinion of the turning radius. Mr. Luglio responded. Mr. Luglio stated that photos he was speaking of were "not to scale". Dr. Maddaloni and Mr. Chagaris asked for clarification of said. Mr. Luglio clarified. Mr. Chagaris asked for clarification of what was depicted in photos submitted. Mr. Luglio responded. Ms. Tubito asked additional questions regarding county road requirements, depressed curbing, etc. Mr. Luglio responded. Ms. Tubito asked about issues with increased traffic flow. Mr. Luglio responded. Mr. Luglio also spoke of the garbage pick up issues. Ms. Tubito asked about flooding/drainage issues. Mr. Luglio responded. Ms. Tubito spoke of a DEP document previously submitted. Mr. Chagaris asked for clarification of mentioned document. Mr. Watkins also spoke of

document. Mr. Luglio responded to questions regarding DEP document submitted. Ms. Tubito asked additional questions regarding vehicles on site. Mr. Luglio responded. Ms. Tubito spoke of additional photos and asked questions of Mr. Luglio in regards to mentioned photos.

Mr. Watkins cross-examined Mr. Luglio. Mr. Watkins asked about the site inspections done by Mr. Luglio and asked if he was familiar with the site's current use. Mr. Luglio responded. Mr. Watkins asked additional questions regarding work on site. Mr. Luglio responded.

Mr. Lignos opened meeting to public's questions for Mr. Luglio. There were none at this time. Mr. Lignos opened meeting to the board's questions for Mr. Luglio. Mr. Ouzoonian asked for confirmation of Mr. Luglio's primary scope of work. Mr. Luglio responded. Mr. Ouzoonian asked about turning radius regarding large vehicles and tow trucks. Mr. Luglio responded. Mr. Ouzoonian asked about the right-of-way regarding Demarest Avenue. Mr. Luglio responded. Mr. DiDio asked about the turning radius needed. Mr. Luglio responded. Dr. Maddaloni asked about regulations regarding vehicles backing out on county roads. Mr. Luglio responded. Mr. Baboo asked about turning radius in regards to vehicles being towed. Mr. Luglio responded. Mr. Lignos asked about the parking/landscape areas. Mr. Luglio responded. Mr. Lignos asked about the size of the driveway entrance. Mr. Luglio responded. Mr. Lignos opened the meeting to the public's comments regarding application. Mr. D'Amico of 460 Demarest Avenue spoke of his concerns with the proposed expansion. Ms. Hoffman of 179 Closter Dock Road spoke of the length of time her family members have been neighbors to applicant. She expressed her concerns with proposed expansion specifically the noise which exists and will continue to exist. Ms. Hoffman expressed that she felt the board should not allow the expansion.

Ms. Tubito summarized her case before the Board. Mr. Watkins finalized his statements regarding application. Mr. Chagaris spoke to Ms. Tubito regarding chapter 173-30 of the Borough Code. Ms. Tubito responded. Mr. Chagaris spoke of the definition of preliminary site plan approval. Mr. Ouzoonian commented on mentioned. Mr. Watkins also spoke of same.

Mr. Lignos opened meeting to the Board's comments. Mayor Heymann spoke of her concerns of the proposed site expansion. Mr. Lignos commented on the complications of application and spoke of the responsibility to comply with the Borough's Master Plan. Mr. Sinowitz concurred with Mr. Lignos' comments. Dr. Friedman commented on the landscaping and the concerns with the front yard activity of the site. Mr. Ouzoonian spoke of the growth of the Gerber business and the concern of the site's lack of space.

Motion was made by Mr. Sinowitz and seconded by Mr. Lignos for approval of application with mentioned stipulations. Mr. Pierce commented on his suggested stipulations. Mr. Sinowitz commented on mentioned recommendations. The board continued to discuss suggested stipulations. Dr. Maddaloni expressed his reluctance in approving application. Mayor Heymann, Dr. Maddaloni, Mr. Lignos, Mr. Sinowitz and Dr. Friedman voted for approval. Councilwoman Amitai, Mr. Baboo, Mr. DiDio, and Mr. Ouzoonian voted against approving application. Ms. Isacoff abstained.

Mr. Lignos spoke of a correspondence mentioned at the start of the meeting submitted by Mr. Chuchalov regarding 499 Homans Avenue (**request for extension of major soil approval**). Mr. Chuchalov requested a one year extension. Motion was made by Dr. Friedman and seconded by Councilwoman Amitai for approval of requested extension with Mr. DeNicola's mentioned stipulations. All present were in agreement for one year extension.

Mr. Chagaris spoke of a document sent to Mr. Lignos by Mr. Rogan's office regarding business zone square footage requirements. Mayor Heymann commented on mentioned document. Mr. Chagaris stated that he would send out letter regarding mentioned.

Motion was made by Dr. Friedman and seconded by Dr. Maddaloni to adjourn meeting. Meeting was adjourned at 11:18PM