

**PLANNING BOARD**  
**BOROUGH OF CLOSTER, NEW JERSEY**  
**Minutes of Special & Work Session Meeting**  
Wednesday,  
August 1<sup>st</sup>, 2012  
8:00 P.M.

Prepared & Submitted by:  
Rose Mitchell  
Planning Board Coordinator

**PLANNING BOARD**  
**BOROUGH OF CLOSTER, NEW JERSEY**  
**Special & Work Session Meeting**  
**Wednesday,**  
**August 1<sup>st</sup>, 2012**

Mr. Lignos, Chairman called the Special & Work Session Meeting of the Planning Board of the Borough of Closter, New Jersey held on Wednesday, August 1st, 2012 in the Council Chambers of the Borough Hall to order at 8:02PM. 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  
Mr. Lignos, Chair  
Dr. Maddaloni, Vice-Chair  
Ms. Stella (alt # 1)  
Mr. Sinowitz  
Mr. DiDio  
Ms. Isacoff  
Mr. Nyfenger (alt # 2)  
Mr. Padovano, Acting 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:

Councilwoman Amitai  
Mr. Baboo  
Mr. Paltos  
Mr. Chagaris-Board Attorney

Mr. Lignos read the correspondence list and asked if any Board members would like to discuss any of the mentioned items. No comments were made at this time.

Motion was made by Mayor Heymann and seconded by Dr. Maddaloni to approve minutes of June 28th. All present were in favor of approval with the exception of Mr. Sinowitz who abstained.

**Special Meeting Portion**

**Item # 1**

Block 2304, Lot 21  
40 Johnson Court  
Application # P2012-03

Applicant: Spivack  
Attorney: N/A

Ms. Appelbaum-Spivack introduced herself to the Board. Mr. Padovano swore in Mr. Hubschman of 263 Washington Avenue, Bergenfield, NJ. Mr. Hubschman spoke of proposed retaining wall and commented on waiver requested. Mr. Padovano swore in Ms. Appelbaum-Spivack of 40 Johnson Court. Ms. Appelbaum-Spivack spoke of the need for the proposed retaining wall. Mr. Hubschman continued to discuss application. Mr. Lignos spoke of proposed wall and asked Mr. Hubschman for clarification regarding setbacks. Mr. Hubschman responded. Mr. Hubschman also spoke of the concerns with the existing slope of property. Mr. Lignos & Mr. Hubschman continued to discuss proposed design of wall. Ms. Appelbaum-Spivack spoke of height of the wall. Mayor Heymann asked about distance of neighbors. Mr. Hubschman & Ms. Appelbaum responded. Ms. Isacoff asked for clarification of height. Mr. Hubschman responded. Mr. Lignos spoke of setback reduction & proposed landscaping. Ms. Appelbaum-Spivack confirmed she understood the board's concerns. Ms. Isacoff asked for clarification of structural issues. Mr. DeNicola responded. Mr. Sinowitz asked about proposed wall of south/west side of property. Mr. Hubschman responded. Mr. Lignos spoke of the block coloring of wall. Dr. Maddaloni asked about safety concerns. Mr. DeNicola responded speaking of fence requirements. Mr. Nyfenger asked for clarification regarding board jurisdiction. Mr. Padovano responded stating that application falls into the soil movement category. Mr. DeNicola spoke of testing of soil. Mr. Hubschman responded on same. Mr. Lignos stated that there were no audience members, therefore he would not be opening meeting to public regarding this application. Mr. Nyfenger asked for clarification of neighbors within 200-ft being notified. Mr. Padovano confirmed that noticing was done. Mr. Hubschman confirmed that the total soil movement will be 408 cubic yards with the amount of fill being 313. Motion was made by Mr. Nyfenger & seconded by Mr. DiDio to approve application with mentioned stipulations. All present were in favor of approval.

Motion was made by Mr. Nyfenger & seconded by Dr. Maddaloni to cancel the Planning Board meeting of August 30<sup>th</sup>. All present were in favor of cancellation.

The special portion of meeting concluded at 8:45PM.

### **Work Session Portion**

#### **1-Liaison Reports**

Councilwoman Amitai was absent. Ms. Stella spoke of recent certificate of appropriateness applications regarding 119 Hickory Lane that came before the Historic Commission and also stated that a Bergen County blue historic sign has been ordered for the AME Zion Church. Mayor Heymann spoke of the latest subcommittee meeting commenting on issues spoken of regarding Closter Swim Club & Closter Plaza. Mayor Heymann spoke of correspondence received from Hakim Associates. Mr. Lignos also discussed revisions received from Mr. Hakim. Ms. Isacoff stated that correction needed to be made (Item 2, Paragraph E). Mayor Heymann explained the importance of voting on proposal due to deadline regarding COAH funds being claimed by the State. Mr. Sinowitz also spoke of the importance of acting on this at this meeting. Mayor Heymann spoke of a proposed development plan. Motion was made by Mr. Sinowitz and seconded by Ms. Stella to accept the revised proposal received from Hakim Associates. All present were in favor

2-Open Meeting to Public

No comments at this time.

3-Discussion regarding Outdoor Café regulations

Mr. Lignos spoke of proposed resolution. Mr. Sinowitz asked for clarification of amendment to existing code (not a replacement). Mayor Heymann spoke of intent of proposed changes and also spoke of her concerns. Mr. Lignos suggested that members mark up their thoughts regarding outdoor café resolution and revisit at the next work session meeting. Mr. Sinowitz, Dr. Maddaloni & Mr. Nyfenger also commented on café regulations Ms. Stella asked for clarification of portion of resolution regarding time of clean-up. Decision was made to carry this to the next work session meeting.

Mayor Heymann spoke of decorations/ plantings put up by the Chamber of Commerce during the sidewalk sale and that the Commerce intended to do more of that of the future.

Motion was made by Dr. Maddaloni and seconded by Ms. Isacoff to adjourn meeting. Meeting was adjourned at 9:19PM.