

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

Minutes of Work Session Meeting

Wednesday,
March 7th, 2012
8:00 P.M.

Prepared & Submitted by:
Rose Mitchell
Planning Board Coordinator

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Work Session Meeting
Wednesday,
March 7th 2012

Mr. Lignos, Chairman called the Work Session Meeting of the Planning Board of the Borough of Closter, New Jersey held on Wednesday, March 7th, 2012 in the Council Chambers of the Borough Hall to order at 8:04PM. 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
Ms. Stella (alt # 1)-8:14PM
Mr. Sinowitz
Mr. DiDio
Ms. Isacoff
Mr. Pialtos
Mr. Nyfenger (alt # 2)
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. Baboo

Mr. Lignos read the correspondence list and asked if any Board members would like to discuss any of the mentioned items. Mayor Heymann commented on item # 2 regarding Haworth's proposed outdoor café ordinance and stated that benefit from some of their ideas. Mr. DeNicola spoke of correspondence regarding Recas Academy & their request for certain revisions. Mr. DeNicola stated he took no exception to revisions being made. The Board members concurred with Mr. DeNicola. Ms. Isacoff spoke information she sent regarding LEED Certification. Ms. Mitchell stated that information was forwarded to members.

Motion was made by Mayor Heymann and seconded by Mr. DiDio to approve minutes of February 1st, 2012. All present were in favor of approval.

1-Liaison Reports

Councilwoman Amitai spoke of the Subcommittee meeting. Mr. Lignos commented on same stating that Mr. Chagaris will discuss proposed resolutions. Mr. Chagaris spoke of resolutions

which were included in member folders. (3) Resolutions were included which consisted of Outdoor Café Regulations, District # 5, Industrial Zone, & Exterior generators/ central air conditioning compressors. The Board continued to discuss proposed resolutions. Mr. Lignos stated that members have until the next work session meeting to review resolutions. The Board suggested that someone from Building Department/ Property Maintenance & Police Department attend next work session meeting to be included in discussion & give feedback regarding generators /central air conditioning compressors.

2-Open Meeting to Public

Ms. Rothchild of 32 Hickory Lane commented on the effect on residents when ordinance changes occur regarding minor matters. Mr. Radick of 243 West Street spoke of other towns' attempt to control leaf blower noise.

3- Review/Discussion regarding Historic Nomination of Centennial AME Zion Church

Mr. Chagaris spoke of current pending litigation dealing with adjacent property to the church property and recommended that discussion regarding nomination of Church be put off at this time. Mr. Lignos asked Mr. Chagaris to clarify possible impact. Mr. Chagaris responded and stated that it would be best to hold off until litigation is over. Ms. Rothschild (HPC Chair) reminded the board that the State Historic Preservation Office clarified that there would be no issue and that the easement issue is a right of title and stated that a historic designation can not be held up. Mr. Chagaris spoke of litigation (in regards to the Church property involvement). Ms. Rothschild expressed the importance of designating the property sooner than later. Mayor Heymann spoke of elements of litigation in regards to church property involvement and expressed her concern of a future applicant being interested in purchasing church property. Mr. Chagaris clarified that he wasn't speaking of proposed future applications. Mr. Radick (member of HPC) stated that there was no connection between the easement & the building and expressed the importance of pushing forward on nomination. Ms. Bouton-Goldberg (member of HPC) spoke of the church property and also expressed her concerns on waiting to nominate. Mr. Nyfenger asked about ownership of church. Mayor Heymann responded speaking of the national organization. Mr. Nyfenger continued to speak of church building. Ms. Bouton-Goldberg stated that church could receive grants once historically designated. Ms. Isacoff expressed her care for both the church & the town and concurred with Mr. Chagaris' concerns. Mr. Lignos expressed that if the board choose not to recommend the designation, then the Mayor & Council would still have the opportunity to vote on designation. Mr. Chagaris concurred but also stated that recommendation of the Planning Board would carry weight in Mayor & Council decision. Councilwoman Amitai asked about State designation as opposed to local designation. Mr. Chagaris responded stating that State designation can still impact case. Mr. Chagaris emphasized the concern was due to existing litigation and not based on future application. Motion was made by Dr. Maddaloni and seconded by Mayor Heymann regarding proceeding with review/discussion of designation of AME Zion Church. Mr. Lignos stated that at this point, he would be recusing himself from voting and chairing in this matter. The Board continued to discuss. All present were in favor on proceeding with review of proposed designation. (Mr. Lignos was recused. Dr. Maddaloni was chairing at this point). Ms. Rothschild responded to Councilwoman Amitai's question in regards to other level designation stating that the other two levels possible would be State or National.

Ms. Rothschild continued to discuss proposed designation of AME Zion Church. Mr. Chagaris spoke of the need for consent from property owner. Ms. Rothschild responded stating that consent was not required. Mr. Chagaris and Ms. Rothschild continued to discuss designation. Ms. Bouton-Goldberg stated that signatures from owners whose properties have been historically designated were not required. The Board continued to discuss designation. Mr. Chagaris reiterated that he thought it would be best to deny application due to pending litigation. Motion was made by Mayor Heymann and seconded by Mr. Sinowitz to approve recommendation to Mayor & Council to designate AME Zion Church as historical structure. Mayor Heymann, Dr. Maddaloni, & Mr. Sinowitz were in favor of recommendation. Mr. DiDio, Ms. Isacoff, Mr. Paltos, & Mr. Nyfenger were not in favor of recommendation. Councilwoman Amatai & Ms. Stella abstained. Approval to recommend designation was denied (4-3). (Mr. Lignos had recused himself earlier in the meeting).

At this point, Mr. Lignos took over chairing meeting.

4- Discussion regarding LEED Certification

Mr. Chagaris stated that the Borough attorney's office has requested the board's feedback regarding LEED certification recommendations but that no resolution was needed at this time. Mr. Lignos briefly spoke of the subcommittee's comments. Mayor Heymann commented on the information submitted by Ms. Isacoff regarding LEED. Ms. Isacoff also commented on same. Mr. Sinowitz expressed his concerns regarding the affect this will have on existing zoning ordinance. Mr. Lignos spoke of the potential benefits of LEED ordinance. The board continued to discuss. Motion was made by Mr. Nyfenger and seconded by Ms. Isacoff to send letter (prepared by Mr. Chagaris) to Mr. Rogan's office regarding Planning Board comments/decision pertaining to LEED certification items. The board continued to discuss. All present were in favor of motion.

Mayor Heymann requested a recess at this time. Mr. Lignos announced a 5-minute recess (time was 9:58PM). Mr. Lignos called the meeting back to order at 10:08PM. Motion was made by Dr. Maddaloni and seconded by Mr. Sinowitz to go into closed (executive) session. All were in favor (time was 10:09). Closed session ended at 10:20. Motion was made by Dr. Maddaloni and seconded by Ms. Isacoff to adjourn meeting. Meeting was adjourned at 10:20 PM.
