

**PLANNING BOARD**  
**BOROUGH OF CLOSTER, NEW JERSEY**  
**Minutes of Regular Monthly Meeting**

Thursday,  
February 28<sup>th</sup>, 2013  
8:00 P.M.

Prepared & Submitted by:  
Rose Mitchell  
Planning Board Coordinator

PLANNING BOARD  
BOROUGH OF CLOSTER, NEW JERSEY  
Regular Monthly Meeting  
Thursday,  
February 28th, 2013

Dr. Maddaloni, Vice- Chairman called the Regular Monthly Meeting of the Planning Board of the Borough of Closter, New Jersey held on Thursday, February 28th, 2013 in the Council Chambers of the Borough Hall to order at 8:01PM. 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- 8:05PM  
Dr. Maddaloni, Vice-Chair  
Mr. Baboo- 8:10PM  
Mr. Sinowitz  
Mr. DiDio  
Ms. Isacoff  
Mr. Paltos 8:13PM  
Ms. Stella- (alt # 1)  
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. Lignos, Chair

Dr. Maddaloni 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.

Item # 1

Block 2401, Lot 49  
679 Closter Dock Road  
Application # P-2012-09

Applicant: Evar  
Attorney: Elliot Urdang

Mr. Urdang briefly spoke of testimony given at previous meeting. Mr. Urdang handed out a list pertaining to items he will address as part of testimony. Mr. Urdang proceeded to speak of items mentioned. Mr. Chagaris asked Mr. Urdang to mark exhibits accordingly. Mr. Chagaris asked Mr. Urdang about right-of-ways. Mr. Urdang responded. Mr. Urdang continued to discuss proposed subdivision application. Mr. Chagaris spoke of map distributed. Mr. Urdang continued to discuss. Dr. Maddaloni asked for clarification regarding map. Mr. Urdang responded & then proceeded to speak of documents submitted. Council-

woman Amitai asked for clarification of lot numbers. Mr. Urdang spoke of easements/access. Mr. Chagaris asked for clarification of filed map. Mr. Urdang spoke of recorded deeds and right-of-ways. Mayor Heymann requested clarification of map scaling. Mr. Urdang responded & discussed prior Council resolution. Mayor Heymann requested clarification of resolution pertaining to right-of-ways. Mr. Urdang continued to discuss. Mr. DeNicola & Mr. Chagaris also spoke of right-of-way. Mr. Sinowitz spoke of previous map submitted. Mr. DeNicola reminded Mr. Urdang that flag lots are no longer permitted. Mayor Heymann questioned the set-up of this flag lot. Mr. Nyfenger also spoke of issues of flag lot/right-of-way. Mr. Chagaris swore in Mr. Sonenberg of 15 East 59<sup>th</sup> Street, New York, NY. Mr. Urdang asked Mr. Sonenberg what his interest was in said property. Mr. Sonenberg responded stating he obtained property in the 1969. Mr. Urdang asked Mr. Sonenberg about other structures on the property. Mr. Sonenberg responded. Mr. Sonenberg spoke of other items such as additions, easements, right-of-ways, maintenance, etc. Mr. Sinowitz asked about the cottage structure. Mr. Sonenberg responded. Mr. Baboo expressed his concerns regarding future CCOs. Mr. Rosenblum of 65 Knickerbocker Road asked about an addition to the house in 1984. Mr. Sonenberg responded. Mr. Chagaris swore in Mr. Lydon of 25 Westwood Avenue, Westwood, NJ. Mr. Lydon spoke briefly of his professional background. Mr. Lydon spoke of elements of proposed subdivision. Mr. Chagaris & Mr. DeNicola asked for clarification of definition of lot in regards to the easement. Mr. Lydon responded. Mr. DeNicola asked for additional clarification regarding easement/right-of-way. Mr. Chagaris commented on previous resolution. Mr. Lydon continued to discuss proposed subdivision and specifically spoke of variances requested. Mr. DeNicola asked for clarification of a Cul-de-sac. Mr. Lydon responded. Mr. Urdang spoke of existing function ability of road access. Dr. Maddaloni suggested the Board revisit the possibility of obtaining a Board planner (which was voted against at previous meeting.) Mr. Chagaris suggested that the members address their questions to Mr. Lydon prior to deciding on need for planner. Mayor Heymann asked for clarification of prior meeting discussion regarding road becoming public (which would save the applicant from needing a variance) Mr. Urdang responded. Mayor Heymann asked for clarification regarding MLUL standards. Mr. Chagaris responded. Councilwoman Amitai requested copies of deeds & for more information regarding lot 49.01. Mr. Urdang commented on mentioned deeds. Councilwoman Amitai continued to speak of easements/right-of-way. Mr. Urdang commented on same. Mr. Nyfenger also commented on easement spoken of. Mr. Chagaris spoke of "filed" subdivision map & asked Mr. Lydon for clarification regarding 25 foot right-of-way. Mr. Lydon responded. Mr. Urdang also commented on same. Mayor Heymann asked for clarification of noticing to neighbors & expressed her concerns of neighbors who are outside the 200 feet. Dr. Maddaloni asked for an informal vote from members regarding need for board planner. Decision was made that a board planner would not be obtained. Councilwoman Amitai asked for clarification regarding legal protection. Mr. Chagaris responded. Councilwoman Amitai requested more information regarding configuration of lot 48. Mr. Chagaris stated that may not be available. Mr. Urdang commented on same. Motion was made by Mayor Heymann & seconded by Mr. Nyfenger to carry this application to the March 28<sup>th</sup> Planning Board meeting. All present were in favor of application carrying.

Mr. Baboo left the meeting at 9:47PM & Ms. Isacoff left the meeting at 9:59PM.

2-Resolution Approval regarding Amendment to the Conservation Zone Ordinance:

Motion was made by Mayor Heymann & seconded by Councilwoman Amitai to approve resolution. All present were in favor of approval.

3-Resolution Approval regarding Ordinance Amending & Supplementing Chapter 200 of the Borough Code, Zoning, specifically, 200-69E:

Motion was made by Mr. Sinowitz & seconded by Dr. Maddaloni to approve resolution. All present were in favor of approval with exception of Councilwoman Amitai & Mr. DiDio who

were against. Mayor Heymann spoke of this resolution & stated that this issue will come before the Council again. Councilwoman Amitai also commented on proposed amendment to ordinance & spoke of the counsel's concerns. Decision was made to further discuss this at a subcommittee meeting.

Motion was made by Mr. Nyfenger and seconded by Councilwoman Amitai to adjourn meeting. Meeting was adjourned at 10:26PM.