

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

Thursday,  
January 31st, 2013  
8:00 P.M.

Prepared & Submitted by:  
Rose Mitchell  
Planning Board Coordinator

PLANNING BOARD  
BOROUGH OF CLOSTER, NEW JERSEY  
Regular Monthly Meeting  
Thursday,  
January 31<sup>st</sup>, 2013

Mr. Lignos, Chairman called the Regular Monthly Meeting of the Planning Board of the Borough of Closter, New Jersey held on Thursday, January 31st, 2013 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  
Mr. Baboo-8:17PM  
Mr. Sinowitz  
Ms. Isacoff  
Mr. Pialtos (8:08 PM)  
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. DiDio

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 & seconded by Mr. Sinowitz to cancel the February 6<sup>th</sup>, 2013 Planning Board meeting. All present were in favor of cancellation.

Motion was made by Mayor Heymann and seconded by Mr. Sinowitz to approve minutes of January 03, 2013. All present were in favor of approval.

Mr. Chagaris swore in Ms. Stella for the purpose of reappointment as (alternate) member of the Planning Board.

Item # 1

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

Applicant: Evar  
Attorney: Elliot Urdang

Mr. Urdang spoke of subdivision application. Mr. Chagaris spoke of opinion letter submitted by Mr. Urdang regarding board jurisdiction. Mr. Chagaris swore in Mr. Hubschman of 263 South Washington Avenue, Bergenfield, NJ. Mr. Hubschman confirmed that he had previously testified before the Closter Planning Board. Mr. Hubschman spoke of proposed subdivision. Mr. DeNicola reminded Mr. Urdang that flag lots are not permitted as per the Closter Code. Mr. Lignos & Mr. DeNicola spoke of lot frontage size. Mr. DeNicola asked for confirmation of easement/right-of-way. Mr. Hubschman responded. Councilwoman Amitai asked about amount of lots & right-of-way access. Mr. Hubschman responded. Dr. Maddaloni asked about square footage. Mr. Hubschman responded. Mr. Baboo asked about maintenance of right-of-way. Mr. Urdang stated that there will be testimony later in hearing pertaining to maintenance. Mr. Baboo expressed concerns regarding shared easement/right-of-way. Mr. Lignos asked about calculations of lots involved. Mr. Hubschman responded. Mr. Lignos asked about resolution regarding original subdivision approval pertaining to lot 49. Mr. Urdang responded stating he did not have resolution & also stated that there will be further testimony regarding right-of-way. Mr. DeNicola asked about length of easement. Mr. Hubschman responded. Mr. Gorenstein of 92 O'Shaughnessy Lane asked about water runoff & proposed square footage. Mr. Hubschman responded. Mr. Rosenblum of 65 Knickerbocker Road asked about right-of-way. Mr. Hubschman responded. Mr. Lignos & Mr. DeNicola also spoke of same. Mr. Rosenblum also asked about proposed landlocked lot & also spoke of additional lots. Mr. Hubschman responded. Mr. Lignos reminded Mr. Rosenblum that the application pertained to lot 49. Mr. Hubschman continued to speak of plan submitted. Mr. Chagaris swore in Ms. Evar, homeowner of 679 Closter Dock Road. Ms. Evar spoke of her property (pertaining to subdivision application). Ms. Evar discussed such items as shared right-of-way, garbage pickup, emergency vehicle access, maintenance, etc. Mayor Heymann asked about specific homeowner who is responsible for maintenance. Ms. Evar responded. Councilwoman Amatai asked about garbage pick-up. Both Mr. Urdang & Ms. Evar responded. Mr. Baboo asked for clarification of snow clean-up. Ms. Evar responded. Ms. Stella asked for Borough's policy on trash removal for private driveway. Mr. Lignos stated that this is something to be discussed with Mayor & Council. Mr. Lignos informed Ms. Evar that a 1960s resolution was located & suggested that planner for applicant view mentioned. Mr. Lignos suggested that the application be put on hold until next meeting (after Ms. Evar's testimony was completed.). Mr. Sinowitz asked about the accessory building at the rear of property. Mr. DeNicola stated that mentioned was a separate dwelling unit. Mr. Paltos asked about emergency vehicle access. Ms. Evar responded. Mr. Lignos asked if dedication of spoken portion of property was ever considered. Mr. Urdang responded. Mr. Rosenblum of 65 Knickerbocker Road asked about person(s) residing in smaller dwelling. Mr. Urdang responded. Mr. Urdang stated that Ms. Evar's father can give testimony going back to 1969. Mr. Lignos stated that documents located go back further and again suggested that Mr. Urdang request documents during office hours. Mr. Lignos stated he would like this application to continue on February 28<sup>th</sup>. Mr. Urdang concurred. Mr. Lignos stated that a planner would be present at next meeting on behalf of applicant & asked members if they would want a planner to be present on behalf of the Borough. (This would be at the applicant's expense). Motion was made by Councilwoman Amitai & seconded by Mr. Baboo to obtain planner for this application on behalf of the Borough. Mr. Nyfenger asked for clarification of need for planner. Mr. Chagaris responded. Councilwoman Amitai, Mr. Baboo, Ms. Stella & Mr. Lignos voted for motion made; Mayor Heymann, Dr. Maddaloni, Mr. Sinowitz, Ms. Isacoff, & Mr. Paltos voted against motion & Mr. Nyfenger abstained. (Motion did not carry). This application will continue on February 28<sup>th</sup>.

Item # 2

Block 2211, Lot 26  
37 Mac Arthur Avenue  
Application # 2012-10

Applicant: Pars Holding, LLC  
Attorney: David Watkins

Mr. Greenberg was present on behalf of Offices of David Watkins to represent this application. Mr. Greenberg spoke of Mr. DeNicola's correspondence. Mr. DeNicola confirmed that revisions were received in accordance with his original correspondence. Mr. Chagaris swore in Mr. Burns of 30 Madison Avenue, Paramus, NJ. Mr. Burns spoke of proposed soil movement for purposes for new construction. Councilwoman Amatai asked about fence & wall spoken of at work session meeting. Mr. Burns responded speaking specifically of wall & stated that wall will be maintained by applicant. Councilwoman Amitai asked about underground electrical service. Mr. Burns responded. Dr. Maddaloni asked for clarification of truck route. Mr. DeNicola responded speaking of route & stated that a slight correction needed to be made. Councilwoman Amatai asked for clarification of impervious coverage. Mr. DeNicola responded. Mr. Lignos asked for clarification regarding slope/swale/water runoff. Mr. Burns responded. Mr. DeNicola clarified the truck route. Motion was made by Dr. Maddaloni & seconded by Ms. Isacoff to approve application with mentioned truck route stipulation. All present were in favor of approval.

Item # 3

Resolution Approval- 540 Durie Avenue

Mr. Chagaris spoke of prepared resolution. Council-woman Amitai asked for clarification regarding canopies, garbage barrier & signage. Mr. Chagaris responded. Motion was made by Mr. Nyfenger & seconded by Mr. Pialtos to approve resolution. All present were in favor of approval.

Item # 4

Discussion/Review (as requested by the Mayor & Council) regarding Ordinance Amending Chapter 200 of the Borough Code, specifically, creating Article XVIIIA, Conservation Zone

Mr. Chagaris spoke of mentioned & also stated that Mr. Banisch has also reviewed & determined that ordinance is not inconsistent with the municipality's Master Plan. Motion was made by Ms. Isacoff & seconded by Mr. Nyfenger to recommend ordinance (pertaining to being consistent with the Master Plan.) All present were in favor.

Item # 5

Discussion/Review (as requested by the Mayor & Council) regarding Ordinance Amending & Supplementing Chapter 200 of the Borough Code, Zoning, specifically, 200-69E.

Mr. Chagaris spoke of mentioned & also stated that Mr. Banisch has reported that ordinance is not inconsistent with the municipality's Master Plan. Mr. Chagaris also stated that he spoke to Mr. Banisch & Mr. Rogan regarding language of ordinance (specifically speaking of principle uses). Dr. Maddaloni commented on same. Mr. Baboo asked about residential structures in commercial zoned areas. Mr. Lignos & Mr. Chagaris responded. Ms. Isacoff asked about language (specifically parcel vs. lot). Mr. Chagaris responded speaking of the existing definition of lot in the code. Councilwoman Amitai expressed her concerns regarding passing mentioned ordinance. Mr. Sinowitz, Mr. Lignos & Mayor Heymann also commented on same. Motion was

made by Mr. Nyfenger & seconded by Dr. Maddaloni to recommend ordinance (pertaining to being consistent with the Master Plan.) All present were in favor with the exception of Councilwoman Amitai & Mr. Baboo who were against motion.

Mayor Heymann spoke of an upcoming (April 2013) Land Use seminar.

Motion was made by Dr. Maddaloni and seconded by Mr. Nyfenger to adjourn meeting. Meeting was adjourned at 9:59 PM.