

PLANNING BOARD
BOROUGH OF CLOSTER, NEW JERSEY
Minutes of Regular Monthly Meeting
Thursday,
March 26th, 2015
8:00 P.M.

Prepared & Submitted by:
Rose Mitchell
Planning Board Coordinator

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Dr. Maddaloni, Chairman called the Regular Monthly Meeting of the Planning Board of the Borough of Closter, New Jersey held on Thursday, March 26th, 2015 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.

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 Glidden-8:10PM

Councilwoman Amitai

Dr. Maddaloni

Mr. Paltos

Ms. Heymann

Ms. Brewster

Mr. Freyre

Dr. Goldberg

Mr. Iafrate

Ms. Batool

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. Montroy

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 1205, Lot 9
50 Railroad Avenue
Application # P2015-01

Applicant: 50 Railroad, LLC
Attorney: Allen Bell, Esq.

Mr. Chagaris spoke of application regarding concerns/clarification of Board jurisdiction speaking of previous representation/ explanation of application by applicant/attorney during the perfection meeting stating that this application may need to be heard before the Zoning Board. Mr. Chagaris asked Mr. Bell to offer proofs of jurisdiction issues. Mr. Bell spoke of application speaking of the use & the reasons that the Planning Board has jurisdiction. Mr. Bell spoke of zoning permit previously given to his client for approval of use. Mr. Chagaris commented on same continuing to speak of the concerns/issues of Planning

Board jurisdiction. Mr. Bell continued to speak of use. Mr. Chagaris responded to Mr. Bell's comments. Dr. Maddaloni commented on proposed use. Mr. Bell & Mr. Chagaris continued to discuss issues regarding jurisdiction. Mr. Chagaris swore in Mr. Kim who stated his business address is 85 Atlantic Street, Hackensack, NJ (Best Home Fashions). Mr. Kim stated that he resided in Closter. & owned the property located at 50 Railroad Avenue, Closter, NJ. Mr. Bell spoke of the Zoning Permit obtained from Mr. Kim for use approval (which was marked accordingly). Mr. Kim spoke of his existing business in Hackensack speaking of square footage used. Mr. Bell asked Mr. Kim about products sold, storage space, amount of employees, etc. Mr. Kim responded. Mr. Chagaris asked for clarification. Mr. Kim responded. Mr. Pialtos, Mr. Freyre & Dr. Maddaloni asked for further clarification. Mr. Kim responded. Mr. Chagaris asked about delivery trucks/containers. Mr. Kim responded continuing to speak of the elements of business operation. Ms. Heymann spoke of use commenting on traffic/parking & the current ordinance suggesting the applicant hold off on any retail sales, also stating that application should stay before the Planning Board. Dr. Maddaloni commented on same. Mr. Chagaris spoke of the municipal land use law pertaining to this application. Ms. Brewster asked if this business would be run as a transfer station. Mr. Pialtos responded stating it would be a warehouse. Dr. Maddaloni commented on same. Dr. Goldberg suggested that the applicant resume his testimony. Mr. Bell asked Mr. Kim about employee function. Mr. Kim responded. Mr. Bell asked Mr. Kim about the showroom located in New York. Mr. Kim responded. Dr. Maddaloni asked existing ordinance in regards to retail. Mr. Chagaris commented on same. Mr. Kim stated he would not conduct a retail business (only wholesale). Dr. Maddaloni & Mr. Chagaris also spoke of same. Dr. Bell spoke of the definition section of ordinance commenting on the no-traffic issue of this application & that his client can restrict the use to only wholesale. Mayor Glidden also spoke of the retail aspect & reminded the Board that the applicant has stated that he would not conduct retail use. Mayor Glidden stated that he believed application should remain before the Planning Board. Mr. Pialtos asked for clarification regarding the benefits for the applicant to go to the Zoning Board. Mr. Bell spoke of his concerns of going before the Zoning Board for a use variance. Ms. Heymann also responded to Mr. Pialtos. Mr. Kim spoke of the urgency of moving forward in a timely fashion. Motion was made by Dr. Maddaloni & seconded by Ms. Heymann to permit the application to be heard by the Planning Board with the condition of no retail use. All present were in favor with the exception of Councilwoman Amitai who voted against. (Ms. Batool, alt #2 did not need to vote).

Mr. Bell stated he had three other witnesses at this point. (Engineer, Architect & Traffic Expert). Mr. Chagaris swore in Mr. Hubschman of 263 South Washington Avenue, Bergenfield, NJ. Mr. Hubschman spoke of revised site plan submitted commented on proposed renovation, drainage, parking, loading docks, landscaping, etc. Mr. Hubschman spoke of requested variances/waivers. Mr. Hubschman continued to speak of nature of application addressing Mr. Bell's questions. Mr. DeNicola spoke of outstanding items including soil movement portion of application. Mr. Hubschman commented on same. Ms. Mitchell reminded the applicant that a revised tree removal application is needed. Councilwoman Amitai asked about the 75 foot buffer. Mr. DeNicola responded. Mr. Hubschman commented on same. Councilwoman Amitai asked for additional clarification regarding neighbor buffering. Mr. DeNicola responded. Councilwoman Amitai asked about proposed parking spaces. Mr. Bell responded stating that additional parking spaces were requested by the Board. Dr. Goldberg asked about the roadway entrance & a southern fire lane. Mr. Hubschman responded. Dr. Maddaloni asked if the fire department had any issues. Ms. Mitchell stated that at this point, there was no feedback from fire prevention. The Board requested that fire prevention supply comments/concerns. Dr. Goldberg asked about proposed pavers. Mr. Hubschman responded. Dr. Goldberg spoke of report received from Mr. Fuchs (Tree Expert) and asked for clarification regarding proposed landscaping plan. Mr. Hubschman responded. Councilwoman Amitai asked for clarification regarding amount of trees. Mr. DeNicola & Ms. Mitchell responded. Mr. Bell and Mr. Hubschman also spoke of trees. Dr. Goldberg spoke of the tree ordinance. Ms. Heymann also spoke of the tree removal procedure. Ms. Mitchell spoke of the final approval of tree planting by the tree expert prior to a certificate of occupancy being issued. Dr. Goldberg continued to discuss proposed tree planting

Dr. Goldberg suggested that the Board have its own representative regarding trees. Dr. Maddaloni & Mr. DeNicola responded. Councilwoman Amitai asked for confirmation regarding evergreen trees. Mr. Hubschman responded. Mr. Chagaris & Dr. Maddaloni asked about the proposed mezzanine. Mr. Bell and Mr. Hubschman responded speaking of definition & characteristics of mezzanine. Mr. Chagaris asked about office space. Mr. Bell responded. Mr. DeNicola asked about the shared entrance/easement. Mr. Hubschman responded. Mr. Rosenblum of 65 Knickerbocker Road stated he wanted to ask the owner some questions regarding his testimony. Mr. Chagaris confirmed that the owner's testimony was for the purpose of jurisdiction determination only. Mr. Rosenblum asked about parking spaces. Mr. DeNicola responded. Mr. Rosenblum asked about building opening for truck entrance. Mr. Hubschman responded.

Mr. Chagaris swore in Mr. Intindola (Traffic Engineer) of 34 Park Avenue, Lyndhurst, NJ 07071. Mr. Intindola spoke of his professional background. Mr. Intindola spoke of research study he conducted in regards to application pertaining to parking/traffic. Mr. Intindola stated that he didn't believe there would be any negative impact for this use from a traffic engineering stand point. Dr. Maddaloni asked for Mr. Intindola's opinion regarding emergency vehicle(s) limited access. Mr. Intindola responded also stating that the final response should come from the fire official. Mr. DeNicola stated that square footage will remain the same as it was before; therefore truck traffic wouldn't change. Councilwoman Amitai asked for clarification regarding generated trips. Mr. Intindola responded. Ms. Brewster asked about the truck route regarding permitted turns. Mr. DeNicola responded. Mr. Freyre stated he appreciated the follow-up regarding his traffic concerns. Mr. Rosenblum of 65 Knickerbocker Road asked about the truck route to the site. Mr. Intindola responded stating he wasn't sure. Dr. Maddaloni asked Mr. Rosenblum to clarify the purpose of his question. Mr. Rosenblum asked if trucks would be passing through Main Street. Dr. Maddaloni responded. Mr. Rosenblum asked about size of trucks, shipping containers & unloading. Mr. Intindola responded. Mr. Bell also commented on the unloading process. Mr. Boyarsky of 10 McKinley Street stated that his firm has been working with applicant/client & would like to answer previously asked questions. Mr. Chagaris stated that was not permitted unless Mr. Boyarsky was sworn in as Mr. Bell's witness. Mr. Bell stated that this was not intended.

Mr. Chagaris swore in Mr. Kim (Professional Architect) of 2044 Center Avenue, Fort Lee, NJ. Mr. Kim spoke of his educational/professional background. Mr. Kim spoke of architect plan which he prepared & submitted, addressing Mr. Bell's questions & marking exhibits accordingly. Mr. Chagaris asked for clarification of rooms on 2nd floor. Mr. DeNicola asked for clarification of display room. Mr. Kim responded. Dr. Maddaloni spoke of previous comments made at work session. Mr. Chagaris stated that mentioned was not testimony. Mr. DeNicola spoke of revised plan needed. Dr. Maddaloni complimented the look of the building. Councilwoman Amitai also complimented the look. Ms. Brewster asked about the bays, expressing her concerns. Mr. Hubschman responded. Mr. Paltos asked for clarification of rising of floor. Mr. Kim responded stating only the height would be raised. Dr. Goldberg asked about the characteristics of the building including siding, doors, A/C, heating system, etc. Mr. Kim responded. Dr. Maddaloni also responded to Dr. Goldberg speaking of the OSHA standards. Mr. Iafate asked about number of loading docks. Mr. Kim responded. Mr. DeNicola asked about HVAC screening & requested revised plans. Mr. Kim responded. Councilwoman Amitai asked about garbage compactor screening. Mr. Hubschman responded. Dr. Maddaloni & Mr. DeNicola commented on same. Mr. Rosenblum of 65 Knickerbocker Road asked about proposed windows on the raised portion of roof. He also asked about the mezzanine. Mr. Kim responded.

Mr. Kim (property owner) was asked to come back up & Mr. Chagaris reminded him that he was still under oath. Mr. Bell asked Mr. Kim to explain use of different rooms in building. Mr. Kim responded. Mr. Kim also spoke of unloading containers pertaining to delivery. Mr. Paltos asked for clarification regarding pallets. Mr. Kim responded stating that pallets were not used for incoming deliveries (only for shipping out). Discussion continued regarding deliveries/pallets. Mr. Chagaris asked about the display

rooms. Mr. Kim responded. Councilwoman Amitai asked about the top of the building. Mr. Kim responded. Mr. Rosenblum of 65 Knickerbocker Road asked about amount of "SKUS". Mr. Kim responded. Mr. Rosenblum also asked about the method of packaging & shelving, sales to department stores, & close-outs. Mr. Kim responded. Mr. Rosenblum asked for clarification of retail sales. Mr. Kim responded. Mr. Bell summarized proposed application. Mr. Kaplan of 52 Chestnut Avenue complimented design of building. Dr. Maddaloni spoke of benefits of application, also speaking of some of his concerns. Ms. Heymann spoke of mentioned reservations/stipulations that should be included as part of application approval. Mr. DeNicola spoke of revised parking spaces. Councilwoman Amitai stated that a report from fire prevention would be needed. Mr. DeNicola spoke of outstanding items. Dr. Maddaloni suggested that vote for approval is carried to next hearing date since revised plans are needed. Ms. Heymann commented on same speaking of prepared resolution. Mr. Chagaris & Mr. DeNicola responded speaking of revised plans to be submitted. Mr. Bell requested that the resolution be drafted for the April 30th meeting. Mr. Chagaris responded. The Board discussed all requirements/stipulations.

Motion was made by Mr. Pialtos & seconded by Councilwoman Amitai to carry application to the April 30th meeting. All present were in favor of carrying application. Ms. Mitchell reminded the applicant's professionals that 20 sets of any revisions would be due by April 17th.

Motion was made by Mr. Pialtos & seconded by Mayor Glidden to go into executive session. Time was 11:06PM. Meeting reopened at 11:29 at which time a motion was made by Mr. Pialtos & seconded by Mayor Glidden to adjourn meeting. Meeting was adjourned at 11:29PM.