

**PLANNING BOARD**  
**BOROUGH OF CLOSTER, NEW JERSEY**  
**Minutes of Special/ Work Session Meeting**  
Wednesday,  
May 6<sup>th</sup>, 2015  
8:00 P.M.

Prepared & Submitted by:  
Rose Mitchell  
Planning Board Coordinator

PLANNING BOARD  
BOROUGH OF CLOSTER, NEW JERSEY  
Work Session Meeting  
Wednesday,  
May 6<sup>th</sup>, 2015

Dr. Maddaloni, Chairman called the Special/Work Session Meeting of the Planning Board of the Borough of Closter, New Jersey held on Wednesday, May 6<sup>th</sup>, 2015 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 Glidden  
Councilwoman Amitai  
Dr. Maddaloni-(Chair)  
Mr. Paltos-(Vice-Chair)  
Ms. Heymann  
Mr. Montroy  
Ms. Brewster  
Mr. Freyre-(8:29PM)  
Dr. Goldberg  
Mr. Iafrate-(Alt #1)  
Ms. Batool-(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:

N/A

Dr. Maddaloni announced that there was no correspondence list.

Motion was made by Ms. Heymann and seconded by Ms. Brewster to approve minutes of 03-26-15. All present were in favor of approval with the exception of Mr. Montroy who abstained. Motion was made by Mayor Glidden & seconded by Ms. Heymann to approve minutes of April 1<sup>st</sup>, 2015. All present were in favor of approval with the exception of Mr. Montroy who abstained.

Dr. Maddaloni announced that item # 3 on agenda (15 William Street) will be tabled until the June Work Session Meeting.

Dr. Maddaloni announced that the Work Session portion of meeting will take place prior to the Special Meeting.

WORK SESSION PORTION

Item # 1

Block 2001, Lot 4  
47 Rutgers Street  
Application # P-2015-03

Applicant: Somet RE Development, LLC  
Attorney: Jill Cadre

Dr. Goldberg recused himself from this application due to living within 200-ft of site. Mr. DeNicola spoke of application & his review letter. Mr. DeNicola stated that the land coverage has been maxed out. Ms. Cadre spoke of application. Mr. Montroy stated that an as-built survey would need to be submitted prior to a C of O being issued & expressed his concerns regarding coverage. Mr. Oren commented on same. Mr. DeNicola continued to discuss his review letter. Councilwoman Amatai asked for confirmation regarding tree removal. Ms. Mitchell confirmed that a tree report was received from Mr. Fuchs. Mr. Oren also commented on trees & sidewalks. Mr. DeNicola responded to Mr. Oren's comments regarding sidewalks. Ms. Heymann also spoke of sidewalk installation/waiver urging Mr. Oren not to install a sidewalk in this case. Motion was made by Councilwoman Amitai & seconded by Ms. Heymann to deem application perfected. All present were in favor of perfection. (Dr. Goldberg was recused at this point).

Dr. Goldberg rejoined the meeting at this point.

Item # 2

Block 2305, Lot 4  
109 MacArthur Avenue  
Application # P-2015-04

Applicant: Liang  
Attorney: N/A

Mr. Hubschman spoke of application specifically inquiring about sidewalk installation/waiver & driveway installation. Mr. Denicola responded to Mr. Hubschman. Mr. Chagaris commented on same. Mr. Montroy also commented on driveway installation in regards to safety. Mr. Montroy also spoke of sidewalk waiver. Motion was made by Ms. Heymann & seconded by Mr. Montroy to deem application perfected. All present were in favor of perfection. (Alt # 2, Ms. Batool did not need to vote).

3- Was previously announced that application for 15 William Street will be tabled.

4- Discussion regarding Ordinance Amending & Supplementing Chapter 200 of the Borough Code; Specifically, 200-69e:

Mr. Chagaris spoke of ordinance amendment also stating that this was previously addressed by the Planning Board in 2013. Mr. Chagaris continued to speak of procedure of ordinance change recommendation. (Dr. Maddaloni announced that Mr. Freyre joined the meeting, time was 8:29PM.). Mr. Chagaris continued to discuss the proposed ordinance amendment. Ms. Brewster

asked for clarification regarding ordinance change in regards to effect on taxes. Mr. Chagaris responded. Ms. Brewster expressed her concerns regarding ordinance change. Ms. Heymann responded to Ms. Brewster's concerns. Dr. Maddaloni commented on same. Councilwoman Amatai expressed her concerns stating that she feels more information is needed. Mayor Glidden commented on same, stating that the Borough Planner previously gave the Board all the information that was needed. Dr. Goldberg stated he also believed more information was needed. Dr. Maddaloni reminded Dr. Goldberg that the Borough planner previously researched & submitted feedback. Mr. Chagaris clarified procedure. Dr. Goldberg continued to express his concerns. Dr. Maddaloni responded to Dr. Goldberg's concerns concurring with Mayor Glidden's comments earlier in the meeting. Mr. Chagaris clarified the Planning Board's role in this matter. Dr. Goldberg continued to discuss his concerns & requested further research is conducted. Mr. Montroy stated that the proposed ordinance was changed to only deal with one zone as oppose to numerous zones which he no longer has an issue with. Motion was made by Mayor Glidden & seconded by Mr. Paltos to accept proposed ordinance amendment (in that it is not inconsistent with the Borough Master Plan). Councilwoman Amatai discussed the use of the word revitalization vs redevelopment as it pertains to the Master Plan. Mr. Chagaris spoke of same. Both Mayor Glidden & Mr. Paltos agreed with the resolution including the word revitalization instead on redevelopment. All present were in favor of motion with the exception of Councilwoman Amatai, Ms. Brewster & Dr. Goldberg who were against (Alternates were not needed to vote). Motion carried.

5- Liaison's Reports- No comments at this time

6- Open Meeting to the Public:

Mr. Isaacson of 97 Columbus Avenue expressed his concerns regarding 'maxing out" coverage on lots. Mr. DeNicola commented on same.

#### SPECIAL MEETING PORTION

##### Item # 1

Block 1205, Lot 9  
50 Railroad Avenue  
Application # P-2015-01

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

Mr. Montroy recused himself from this application. Mr. Bell spoke of revised plans submitted. Mr. DeNicola spoke of his April 29<sup>th</sup>, 2015 review letter. Mr. Chagaris swore in Mr. Hubschman of 263 South Washington Avenue, Bergenfield, NJ. Mr. Hubschman spoke of revision plans submitted. Mr. DeNicola & Mr. Chagaris discussed certain conditions for approval. Mr. DeNicola also spoke of revised plans. Mr. DeNicola spoke of his concerns regarding erosion. He also spoke of mentioned revisions still needed which will have to be conditions for approval. Mr. Paltos asked about HVAC screening. Mr. Hubschman stated that the architect would address that. Councilwoman Amatai asked about the fire lane. Ms. Mitchell read correspondence/e-mail

received from Mr. Whitney of fire prevention. Mr. Hubschman commented on same. Ms. Brewster asked about the fire exits. Mr. Hubschman stated that the architect will discuss this. Ms. Mitchell confirmed that the Police Dept. had no comments regarding this application. Mr. Chagaris swore in Mr. Kim (applicant's architect) of 2044 Center Avenue, Fort Lee, NJ. Mr. Kim spoke of revised plans submitted. Mr. DeNicola stated that revised plans comply with his review letter. Ms. Brewster asked for clarification regarding removal of bays. Mr. Bell responded. Councilwoman Amatai asked about the dumpster pad. Mr. Kim responded. Mr. DeNicola asked about material of dumpster screening. Mr. Kim responded. Mr. Isaacson of 97 Columbus Ave. expressed his concerns regarding limiting parking spaces (if ever upgraded to retail use), concern of no windows on second floor, & no elevator. Mr. Isaacson also stated that he believed the 2<sup>nd</sup> floor should not be called a mezzanine. Mr. Boyarsky of 10 McKinley expressed his excitement regarding approving this application. Mr. Bell summarized application. Mr. Chagaris asked for clarification regarding number of employees. Mr. Bell responded & continued to sum up application. Dr. Maddaloni stated that he believed that this proposed site use would be good for the town. Mr. Chagaris spoke of prior testimony highlighting specific items. Dr. Maddaloni concurred with all items mentioned with the exception of the enforcement of the parking fee. Mr. Freyre asked how it's handled if applicant changes to retail use in future. Mr. Chagaris responded. Mayor Glidden requested that Mr. Montroy speak on behalf of this application. (Mr. Montroy was still recused from the meeting at this point). Mr. Bell reminded the Board that the application is now closed. Mayor Glidden reiterated that he would like Mr. Montroy to give a report regarding this application. Mr. Bell stated that Mr. Montroy is not a witness & reminded the Board that the case has been summed up. Mr. Chagaris stated that the Board cannot be influenced by somebody's opinion. Mr. Freyre stated that he would like to hear Mr. Montroy's report. Mr. Chagaris asked Mr. Bell if he objected to this. Mr. Bell stated he did object. Other members stated that they would like to hear Mr. Montroy's report. Mr. Chagaris stated he would like to speak to Mr. Bell off the record. Mr. Chagaris & Mr. Bell rejoined the meeting. Mr. Chagaris spoke on the procedure stating that the Board would need to open up the case again & the Board would need to make that decision. Mr. Paltos asked about the potential consequences if application is reopened. Mr. Chagaris responded. Dr. Maddaloni asked Mr. Bell if he still objected to report from Mr. Montroy. Mr. Bell responded stating he did still object but was aware that the Board had the option to reopen case. Motion was made by Councilwoman Amatai & seconded by Mayor Glidden to reopen hearing. All present were in favor of reopening hearing with the exception of Ms. Heymann, Dr. Maddaloni who voted against & Mr. Paltos who abstained. Motion carried. Mr. Montroy spoke of plan submitted & stated he also reviewed another plan brought to him by a public official. Mr. Montroy stated he spoke to the applicant regarding other plan submitted & the benefits of same. Mr. Montroy also clarified that the 2<sup>nd</sup> level is considered a mezzanine by definition of the building code. He also spoke of the DEP approval. Mr. DeNicola also commented on DEP approval. Dr. Goldberg asked if Mr. Montroy can present the 2<sup>nd</sup> plan. Mr. Chagaris stated that was not permitted and clarified what the Board members role is. Mr. Freyre asked about the conditions of resolution. Mr. Chagaris responded. Motion was made by Ms. Heymann & seconded by Mr. Fryre to approve application with mentioned conditions/stipulations. The

Board continued to discuss conditions. All present were in favor of approval. (Alt. # 2 did not need to vote).

Motion was made by Ms. Heymann & seconded by Ms. Brewster to adjourn meeting. Meeting was adjourned at 10:20 PM.