

**PLANNING BOARD**  
**BOROUGH OF CLOSTER, NEW JERSEY**  
**Minutes of Work Session/Special Meeting**  
Wednesday,  
December 7<sup>th</sup>, 2016  
8:00 P.M.

Prepared & Submitted by:  
**Rose Mitchell**  
Planning Board Coordinator

PLANNING BOARD  
BOROUGH OF CLOSTER, NEW JERSEY  
Work Session/Special Meeting  
Wednesday,  
December 7<sup>th</sup>, 2016

Dr. Maddaloni, Chairman called the Work Session Meeting of the Planning Board of the Borough of Closter, New Jersey held on Wednesday, December 7<sup>th</sup>, 2016 in the Council Chambers of the Borough Hall to order at 8:01 PM. 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  
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. Freyre

Dr. Maddaloni read correspondence list & asked if there any comments regarding mentioned. No comments at this time.

Motion was made by Ms. Heymann and seconded by Councilwoman Amitai to approve minutes of 11-02-16. All present were in favor of approval.

Open Meeting to the Public: No Comments.

WORK SESSION PORTION

Item # 1

Block/Lot: 1607/1  
19 Ver Valen Street  
Application #P2016-12

Applicant: JP Morgan Chase Bank  
Attorney: Greg Meese, Esq.

Mr. Meese introduced himself & also introduced Mr. DeWitt (Project Engineer). Mr. Meese spoke of corrected address as per the Borough Tax Office. He stated that 17 Ver Valen Street will be the bank parcel. Mr. Meese spoke of items in Mr. DeNicola's review letter. Mr. DeNicola commented of same. Ms. Heymann thanked Mr. DeNicola for his thorough review. Ms. Brewster asked about the amount of soil movement being exporting/importing. Mr. DeWitt responded. Dr. Maddaloni reminded the Board members that questions should pertain to completeness purposes only. Mr. DeNicola spoke of revisions regarding signs. Mayor Glidden asked about plans submitted. Mr. DeNicola responded. Motion was made by Mr. Montroy & seconded by Ms. Heymann to deem application complete. All present were in favor of completeness. (Ms. Batool did not need to vote at this time.). Dr. Maddaloni spoke of hearing this application at the January 4<sup>th</sup>, 2017 meeting due to the Holidays at the end of December. Applicant's attorney concurred with date mentioned. Ms. Mitchell confirmed deadline date.

2- Liaison's Report- No comments at this time

3- Old Business:

COAH Status- Mayor Glidden spoke briefly of the GAP period; stating that no decisions have been made at this point regarding mentioned.

Follow-Up Discussion regarding ZBA Annual Report- No comments at this time.

4- New Business:

Approval of 2017 Meeting Dates:

Ms. Mitchell confirmed that all Work Sessions will take place on the first Wednesday of each month & all regular hearing dates will take place the last Thursday of each month; as usual. Motion was made by Mr. Montroy & seconded by Ms. Heymann to approve 2017 PB meeting dates. All present were in favor of approval.

### SPECIAL MEETING PORTION

#### Item #1

Block 1314, Lot 1 & 2  
248 Closter Dock Road  
Application # P2016-09

Applicant: Heidenberg Closter Associates  
Attorney: Mr. Geneslaw

Dr. Maddaloni announced that this application will be heard later in the meeting.

#### Item # 2

Block/Lot: 2211/4  
127 Alpine Drive  
Application #P2016-10

Applicant: Xie/Niu  
(Sandal Builders)  
Attorney: N/A

Mr. Chagaris swore in Mr. Skrable of 65 Ramapo Valley Road, Mahwah, NJ. Mr. Skrable spoke of soil movement application; mentioning plan revised through 11-10-16. Mr. DeNicola asked for clarification regarding runoff. Mr. Skrable responded. Mr. DeNicola spoke of ADA ramp requirement. Mr. Skrable commented on same. Mr. DeNicola also spoke of sidewalk replacement. Councilwoman Amitai asked about plan indicating average set back; which was requested at the work session meeting. Mr. Skrable responded speaking of surveyor's signed & sealed letter submitted. Councilwoman Amitai also asked about the swale & water runoff. Mr. Skrable responded Ms. Droste of 13 Mac Arthur Avenue spoke of her concerns regarding water runoff. Dr. Maddaloni & Mr. DeNicola commented on same. Ms. Droste stated that she has never had any issues with water runoff. Mr. Montroy stated that the Borough engineer will be inspecting site. Mr. Montroy stressed the importance of sticking to approved plan, since coverage is maxed out. Motion was made by Ms. Heymann & seconded by Mr. Montroy to approve application with mentioned conditions. All present were in favor of approval. (Ms. Batool did not need to vote).

Item # 3

Block/Lot: 511/7  
36 Pine Street  
Application # P2016-11

Applicant: HFS Properties, LLC  
Attorney: Dennis Francis, Esq

Mr. Francis introduces himself to the Board. Mr. Chagaris swore in Mr. Scott of 172 Washington Valley Road, Warren, NJ. Mr. Scott spoke of his professional background. Mr. Scott spoke of soil movement application & plan submitted. Mr. DeNicola spoke of curb/sidewalk installation. Mr. Scott commented on same. Ms. Wang of 33 Haring Street asked about size of the house. Mr. Scott responded speaking of the zoning chart/bulk restrictions. Dr. Maddaloni spoke of coverage. Ms. Mitchell asked for clarification of revised plan date. Mr. DeNicola confirmed that date of mentioned is November 21<sup>st</sup>, 2016. Motion was made by Mr. Montroy & seconded by Mr. Pialtos to approve application with mentioned conditions. Ms. Heymann spoke of proposed tree planting, suggesting that the applicant consult with the Borough tree expert. All present were in favor of approval. (Ms. Batool did not need to vote).

Dr. Maddaloni announced that the Board would go back to item # 1 at this point.

Block 1314, Lot 1 & 2  
248 Closter Dock Road  
Application # P2016-09

Applicant: Heidenberg Closter Associates  
Attorney: Mr. Geneslaw

Mr. Pialtos recused himself from this application.

Ms. Mitchell stated that all members who missed previous meeting have signed forms confirming that they have read/heard testimony. Mr. Geneslaw spoke of previous meeting & items he has submitted since. He also spoke of the Starbuck's resolution, which was recently located, continuing to speak of parking & also spoke of proposed signage. Mr. Chagaris clarified that this application is being amended in regards to reduction of number of seats. Mr. Geneslaw submitted

the Starbuck's resolution as part of the record. Mr. Montroy stated that the number of seats will be part of the certificate of occupancy & will be enforced accordingly. Mr. Montroy asked how applicant will comply with the barrier-free uniform construction code. Mr. Geneslaw responded, stating that there are no plans to make any changes to the parking lot at this time. Dr. Maddaloni asked for clarification. Mr. Montroy responded, speaking of handicap space requirements. Ms. Heymann spoke of the previous Starbuck's approval pertaining to seating as a restaurant establishment. Mayor Glidden spoke of amount of tables/chairs mentioned on revised plans. Mr. Geneslaw responded. Ms. Heymann commented on same, speaking again of the Starbuck's approval; expressing her concerns of parking. Councilwoman Amitai spoke of the consideration of off-site parking for employees. Mr. Geneslaw responded, speaking of employee parking currently being in back of building. Councilwoman Amitai asked about number of spaces in back of building. Ms. Brewster also commented on employee parking. Mr. Geneslaw stated he wasn't certain of the number of employee parking spaces & mentioned previous resolutions/documents submitted. Ms. Brewster asked about actual count of parking area. Mr. Geneslaw responded, speaking of last plan submitted, mentioning 108 spaces. Dr. Maddaloni asked about the size of the tables. Mr. Geneslaw responded, stating the table sizes will not change. Dr. Maddaloni continued to speak of the tables/seating and his concerns. Dr. Maddaloni asked about the temporary banner. Mr. Geneslaw responded, stating that a permit has been issued for banner. Ms. Mitchell confirmed that a zoning permit was issued for temporary banner. Mr. Montroy reiterated that number of seats will be enforced. Councilwoman Amitai spoke of outdoor seats. Mr. Geneslaw spoke of same, speaking of the outdoor seating permit. Dr. Goldberg spoke of the handicap parking, stating that the current spaces are not per building codes/ADA laws. Mr. Geneslaw stated that the site was made ADA compliant during the previous application before the Board; also stating that this is not part of the Wally's application. Dr. Goldberg asked for further clarification. Mr. Chagaris stated that mentioned issue is not before the Board at this time. Dr. Goldberg continued to speak of handicap parking. Mr. Chagaris stated that mentioned is a code enforcement issue, & not a Planning Board. Dr. Goldberg offered to testify regarding ADA handicap parking requirements. Mr. Chagaris responded, stating that is not allowed. Dr. Maddaloni commented on same, speaking of the Closter Plaza application in regards to parking space issues. Mr. Chagaris stated that the Plaza application was not the same & can't be compared to this site. Dr. Maddaloni continued to speak of the handicap parking spaces, stating that this application is independent of the existing situation & that this should not be discussed any further. Dr. Goldberg stated he would like to challenge Mr. Montroy's comments regarding ADA parking spaces & stated he spoke to other professionals (outside of the Borough) regarding mentioned & he reiterated that he wanted to speak to the Board regarding his findings. Mr. Chagaris responded stating that Dr. Goldberg was not qualified to give testimony. Dr. Maddaloni stated that the issue should be revisited at a later date & not as part of this application. Mr. Iafate spoke of the possibility of the business suffering due to parking issues. Ms. Batool stated that she believed parking will be less of an issue since there is now existing Starbuck's & CVS in the Plaza. Councilwoman asked for clarification regarding number of parking spaces requirements. Mr. DeNicola responded stating the ordinance is based on seats & not patrons. Mr. Geneslaw commented on seating occupancy. Ms. Heymann reiterated that she believed that the calculation regarding spaces/seating was not accurate & that this area is already overburdened regarding traffic. Councilwoman Amitai asked about the size of the permanent sign. Mr. Geneslaw responded. Dr. Goldberg asked if the applicant would be willing to return before the Board to discuss the disabled parking. Dr. Maddaloni

stated he suggested that as part of the entire plaza & not a part of this application. Mr. Geneslaw stated that this item was discussed before the Board at the previous application hearing. Dr. Maddaloni stated that the Board may want to discuss mentioned item internally. Dr. Goldberg continued to speak of the handicap parking requirements. Dr. Maddaloni reminded Dr. Goldberg that this can be discussed at a later time. Mr. Rosenblum of 65 Knickerbocker Road asked if the Heidenberg Plaza was ever subjected to the parking fund. Mr. DeNicola responded, stating he believed they had been. Mr. Rosenblum asked about the formula regarding seating in relation to the parking. Mr. DeNicola responded. Mr. Rosenblum spoke of the previous application for Locale restaurant (which was before the Zoning Board). Mr. Chagaris responded to mentioned comments. Mr. Rosenblum asked about outside seating. Mr. Chagaris responded, stating that outside seating portion was not before this Board. Dr. Goldberg asked if a representative from the ADA & DCA offices would be permitted to testify. Mr. Chagaris responded, stating that it was not permitted. Wally Hassan spoke on behalf of application, commented on the benefits of expanding business. Mr. Rosenblum of 65 Knickerbocker Road asked what else will be offered in establishment besides bagels. Mr. Geneslaw & Mr. Chagaris responded, stating that this was discussed during previous meeting testimony. Mr. Rosenblum spoke of traffic/parking, referring to how the Board handled the Plaza application. Mr. Chagaris responded to comments. Ms. Heymann commented on same. Motion was made by Mr. Montroy & seconded by Ms. Brewster to approve application. Mr. Montroy, Ms. Brewster, & Ms. Batool were in favor of approval. Mayor Glidden, Councilwoman Amitai, Ms. Heymann, Dr. Goldberg & Mr. Iafrate were against approval & Dr. Maddaloni abstained. (Mr. Paltos was recused). Approval was denied.

Motion was made by Councilwoman Amitai & seconded by Ms. Heymann to cancel the December 29<sup>th</sup> meeting. All present were in favor of cancelation. Ms. Mitchell announced that the next meeting will take place on January 4<sup>th</sup>, 2017.

Motion was made by Ms. Heymann & seconded by Mr. Montroy to adjourn meeting. Time was 10:01PM.