



Zoning Board of Adjustment

March 25, 2015

*****Special***
Meeting
(Minutes)**

Prepared by:

Paul Demarest

◇ **OPENING REMARKS** (Commenced at 8:03pm) ◇

◇ **PLEDGE OF ALLEGIANCE** ◇

◇ **ATTENDANCE** ◇

Present

Joseph Bianco, RA/PP- Chairman
Mitchell Monaco- Vice Chairman
Evan Elias
Kenneth Wasserman
Antranig Ouzoonian, PE- Alternate #1
Joan Marks- Alternate #2
Phillip Kwon, Esq.- Alternate #4
Leonard Sinowitz- Zoning Officer
Arthur Chagaris, Esq.- Board Attorney
Jeffrey Morris, PE- Board Engineer
Paul Demarest- Board Coordinator

Absent

Theodore West, DDS- Secretary
Heena Dhorajia, EIT
Dharamraj Baboo
Mindy Rothbaum- Alternate #3
Arthur Dolson- Council Liaison

◇ **MISCELLANEOUS** ◇

Chairman Bianco indicated he would not attend the seminar that New Jersey Planning Officials is hosting on April 18, 2015 if no other Board member was available to attend. Mr. Elias stated he is still uncertain if he is available that date. Mr. Wasserman reiterated he could not attend. Mr. Demarest assured he would confirm Ms. Rothbaum's attendance, noting new Board members must obtain land use board certification from an agency/affiliate recognized by the State of New Jersey within 18 months of their initial appointments by the Governing Body.

In preparing the Resolution for Case #Z-2014-19 (309 Closter Dock Road/309 Closter Dock Road, LLC), Chairman Bianco asked that the Board Attorney and Board Engineer collaborate to determine if a Developer's Agreement is warranted given the subject property is on a county road, and there will be off-site improvements.

◇ **OPEN TO THE PUBLIC** ◇

n/a;

◇ **CASELOAD** ◇

**Case #Z-2015-01
Mikelle Schifter
22 Garry Road
(Block 2004/Lot 38)
District #1- Residential A**

Case History

The applicant is seeking a Bulk Variance for the installation of a swimming pool (in-ground), patio (on-grade), rear steps and rear walkway at the subject property; the application was received January 5, 2015 and scheduled for the February 18, 2015 (Special) Work Session, at which time, it was perfected; pending the Board's receipt of requested items and public noticing requirements, the application was scheduled for the March 25, 2015 (Special) Meeting.

Representation

1.) David Watkins, Esq., 285 Closter Dock Road, Closter, New Jersey;

Witnesses

#1: Michael Hubschman, PE, Hubschman Engineering, PA, 263(A) South Washington Avenue, Bergenfield, New Jersey;

Exhibits

A-1: colorized version of pre-filed site plan, prepared by Witness #1 and dated November 6, 2014;

A-2: landscape plan prepared by Len Di Tomaso, CLA (Landscape Perceptions of Di Tomaso Design, Inc.) and dated August 12, 2014;

Relief Sought

1.) Bulk Variance: impervious coverage (30% maximum allowed/33.33% provided);

Response to Prior Board and/or Subcommittee Requests

n/a;

New Board Requests

n/a;

Public Questions

n/a;

Public Comments

1.) Sophie Heymann, 14 Garry Road, Closter, New Jersey;

2.) Judy Ann Parker, 55 Susan Drive, Closter, New Jersey;

Decision

A motion was made by Vice Chairman Monaco and seconded by Ms. Marks, to approve the application. The motion passed (7-0-0):

YES- Kwon/Marks/Ouzonian/Wasserman/Elias/Monaco/Bianco;

NO- n/a;

ABSTAIN- n/a;

Conditions

- 1.) provide 4' width of crushed stone around proposed detention chamber ensuring supplement to existing storm water management system will handle drainage originating from proposed swimming pool, patio and steps;
- 2.) implement all aspects of proposed landscaping depicted in Exhibit #A-2;

**Case #Z-2014-17
Closter Assisted Living, LLC
59 West Street, 11 & 15 Van Sciver Street
(Block 1104/Lots 15.02, 15.03 & 15.04)
District #6- Affordable Housing**

Case History

The applicant is seeking a Use Variance and Site Plan Approval for the construction of a new building (containing an assisted living facility) at the subject properties; the application was received October 9, 2014 and scheduled for the November 19, 2014 (Special) Work Session, at which time, it was deemed incomplete; pending the Subcommittee's receipt of requested items, the application was rescheduled for the December 17, 2014 (Special) Work Session, at which time, it was perfected; pending the Board's receipt of requested items and public noticing requirements, the application was scheduled for the February 18, 2015 Meeting; the applicant (via 10% owner of 1 of 4 principals forming entity) completed initial testimony and the case was adjourned, with no items required, to the March 25, 2015 (Special) Meeting.

Representation

- 1.) Elliot Urdang, Esq., 19 Engle Street, Tenafly, New Jersey;

Witnesses

- #1: Christopher Lantelme, PE/PLS, Lantelme, Kurens & Associates, PC, 101 West Street, Hillsdale, New Jersey;

Exhibits

- A-1: pre-filed site plan (page 5 only/entitled "Existing Environmental Conditions") marked with orange and red highlights by Witness #1 during proceedings to indicate locations of wetlands, riparian zone and proposed building on subject property, prepared by Witness #1, dated December 3, 2014 and last revised January 8, 2015;
- A-2: aerial photograph depicting subject property and neighborhood, uncredited and undated;

Relief Sought

- 1.) Use Variance: assisted living facility is not permitted in District #6;
- 2.) Use Variance: building height exceeds maximum allowed by $\geq 10'$ and/or 10% (30' maximum allowed/43.20' provided);
- 3.) Site Plan Approval-
 - a.) Design Waiver: number of parking spaces (72 spaces minimum required/28 spaces provided);
 - b.) Design Waiver: parking space area (200 sf minimum required/135 sf provided);
 - c.) Design Waiver: aisle width (18' minimum required/12' provided);

- d.)** Design Waiver: front yard parking setback <corner lot- facing Van Sciver Street> (20' minimum required/17' provided);
- 4.)** Bulk Variance: number of stories (2.5 stories maximum allowed/3 stories provided);
- 5.)** Bulk Variance: impervious coverage (50% maximum allowed/68% provided);
- 6.)** Bulk Variance: side yard setback- corner lot (10' minimum required/3.40' provided);

Response to Prior Board and/or Subcommittee Requests

- 1.)** applicant provided testimony as to sight distances for 3 proposed driveways;
- 2.)** applicant provided traffic control signage throughout proposed parking lot (1-way, stop, do not enter and handicap signs);
- 3.)** applicant intends to eliminate proposed stairway in side yard accessing basement (providing detail on route and material of associated walkway is not applicable);
- 4.)** applicant provided testimony that firefighting would occur at public roadway given inadequate space for emergency service apparatus on narrow subject property;
- 5.)** applicant provided estimated/typical sizing of utility services (final specifications have yet to be determined);
- 6.)** applicant provided location and path of overflows traveling from proposed seepage pits on-site to Borough's storm water system;

New Board Requests

- 1.)** obtain determination, along with relevant permit(s), from New Jersey Department of Environmental Protection (NJDEP) relating to proposed construction in and around wetlands located on subject property;
- 2.)** provide soil analysis and percolation testing for proposed infiltration-based storm water management system;
- 3.)** correct site plan to reflect proposed side yard <corner lot> setback to be 3.40', not 7.90', as indicated in Limiting Schedule (measurement is to be taken from side porch);
- 4.)** provide refuse collection enclosure comprised of steel fencing rather than proposed natural screening;
- 5.)** clarify length dimension of proposed parking spaces (scale to 15', not 18', on site plan);
- 6.)** provide turning template for typical ambulance utilizing proposed porte-cochere;
- 7.)** provide basement floor elevation to determine effect on sanitary sewer and sump pump(s);
- 8.)** determine ground water table on-site to determine impact on proposed basement;
- 9.)** investigate if existing ditch located at 45 West Street connects to Oradell Reservoir (such will impact determination by NJDEP as to whether or not wetlands on subject property are considered isolated);
- 10.)** incorporate both wetlands and riparian zone delineations onto site plan as depicted on Exhibit #A-1;
- 11.)** provide testimony on ingress, egress and on-site traffic flow given size of proposed building on narrow parcel;
- 12.)** indicate proposed fencing on site plan;
- 13.)** clarify whether or not walkways and patios are proposed in side yard and revised impervious coverage calculations accordingly (such is proposed on landscape plan but not site plan);
- 14.)** provide distance to scale measured from side yard property line of subject site to northeastern property line of adjacent vacant parcel owned by Borough (Block 1104/Lot 14 known as Van Sciver Street);

- 15.) provide distance to scale measured from side yard property line of subject site to house situated at 45 West Street;

Public Questions

- 1.) Steven Isaacson, 97 Columbus Avenue, Closter, New Jersey;
- 2.) Jesse Rosenblum, 65 Knickerbocker Road, Closter, New Jersey;
- 3.) Bobtek Oh, 10 Michaels Lane, Closter, New Jersey;
- 4.) Robert Ludwig, 73 West Street, Closter, New Jersey;
- 5.) Yeon Woong Chung, 14 Michaels Lane, Closter, New Jersey;
- 6.) John Finan, 55 Mac Arthur Avenue, Closter, New Jersey;
- 7.) Bhagvanji Sangani, 69 West Street, Closter, New Jersey;
- 8.) Karen Oh, 10 Michaels Lane, Closter, New Jersey;
- 9.) Martin Semar, 342 Brookside Avenue, Cresskill, New Jersey;
- 10.) Karine Airapetian, MD, 45 West Street, Closter, New Jersey;

Public Comments

n/a;

Decision

The case was adjourned to the April 22, 2015 (Special) Meeting.

◇ADJOURNMENT OF (SPECIAL) MEETING◇

A motion was made by Mr. Wasserman and seconded by Mr. Elias, to have the Board adjourn at 10:54pm. The motion passed by acclamation.
