

PLANNING BOARD
BOROUGH OF CLOSTER, NEW JERSEY
Minutes of Regular Monthly Meeting
Thursday,
August 25th, 2016
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, August 25th, 2016 in the Council Chambers of the Borough Hall to order at 8:05 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. There were no comments at this time.

Item # 1

Block 301, Lot 1
11 Roden Way
Application # P2016-07

Applicant: 11 Roden Way, LLC
Attorney: David Watkins

Mr. Stamos introduced himself & stated he was present on behalf of Mr. Watkins. Mr. Stamos spoke Soil Movement application. Mr. DeNicola spoke of items on his review letter, stating that revisions submitted are sufficient. Mr. Chagaris swore in Mr. Koestner (applicant's engineer) of 61 Hudson Street, Hackensack, NJ. Mr. Koestner spoke of professional background. Mr. Koestner spoke of plan submitted. Dr. Goldberg asked for clarification of the angle of the proposed building. Mr. Koestner responded, speaking of access. Councilwoman Amitai asked about the owner of the right-of-way. Mr. DeNicola responded, stating that the Borough of Haworth owes

the right-of-way. Councilwoman Amitai asked about responsibility of taxes being paid in both Boroughs. Dr. Maddaloni responded, stating that taxes were irrelevant to this application. Mr. DeNicola spoke of minor improvements to the road. Mr. DeNicola asked for clarification regarding paver calculation. Mr. Koestner responded. There were no questions/comments from the public regarding application. Motion was made by Ms. Heymann & seconded by Mr. Montroy to approve application. All present were in favor of approval. (Ms. Batool did not need to vote).

Item # 2

Block 2011, Lot 1
516 Ruckman Road
Application # P2016-08

Applicant: Merit Joint Developers, Inc.
Attorney: Donna Vellekamp

Mr. Chagaris swore in Mr. Skrable (applicant's engineer) of 55 Ramapo Valley Road, Mahwah, NJ. Mr. DeNicola spoke of his review letter, also mentioning tree removal revision. Mr. Skrable spoke of application & plans submitted. Dr. Maddaloni asked for clarification regarding truck route. Mr. Skrable, Ms. Vellekamp & Mr. DeNicola responded. Mr. DeNicola asked about driveway water runoff. Mr. Skrable responded. Councilwoman Amitai spoke of revision made on plan regarding road width. Mr. Skrable responded stating that that was strictly a typo. Ms. Heymann spoke of the Environmental Commission's suggestion regarding trees. Ms. Vellekamp responded. Motion was made by Ms. Heymann. The Board continued to discuss trees. Ms. Heymann asked for further clarification regarding trees to be planted on Ruckman Road. Ms. Vellekamp spoke of same. Ms. Mitchell stated that Mr. Fuch's report will advise applicant of how many trees that need to replant. Motion was made by Ms. Heymann & seconded by Mr. Montroy to approve application with mentioned stipulation regarding trees. All present were in favor of approval. (Ms. Batool did not need to vote).

Item # 3

15 Williams Street: Multi-Phase vs. Closter Planning Board: settlement of litigation proposal:

Block 1202, Lot 6.01
15 William Street
Application # P-2015-05

Applicant: Multi Phase Electrical Services
Attorney: Donna Vellekamp, Esq.

Dr. Maddaloni stated that this item would be discussed a little later in the meeting since he needs to recuse himself from mentioned.

4-Pending Resolution(s):

Block 701; Lot 13-80 Knickerbocker Road: Ms. Brewster handed a document to Mr. Chagaris. Mr. Chagaris spoke of procedure regarding resolution approval/memorialization. He spoke of what was handed to him by Ms. Brewster, stating that at this point of the application, this is not part of the record. Ms. Brewster asked if she could rescind her motion/vote. Mr. Chagaris spoke of motion regarding approval of application (which took place at a previous meeting). Mr. Chagaris spoke of land use procedure, stating that at this point, a motion/vote cannot be re-

scinded. Councilwoman Amitai spoke of vote taken at the June 30th meeting regarding this application, speaking of roll call procedure according to Robert's Rules of Order. Mr. Chagaris responded, stating that vote/roll call previously taken complied with the rules. Ms. Brewster stated she misunderstood at time of the vote. Mr. Chagaris responded stating that she should have stated her confusion/misunderstanding at time of meeting/vote. Mr. Chagaris spoke of the importance of decisions/objections being made at time of the meeting, and that a motion of reconsideration would not be appropriate. Dr. Maddaloni commented on same, also stated that he denies any motion to rescind vote. Ms. Heymann began to ask Mr. Cushmaro a question. Mr. Chagaris stated that at this point, all questions/comments must be addressed among the Board members & Board professionals only. Dr. Goldberg spoke of Roberts Rules regarding roll call/vote, commenting on Board secretary repeating votes. Mr. Chagaris responded, stating that mentioned is a suggestion & not a requirement. Dr. Maddaloni commented on same, stating that the current procedure is sufficient. Mr. Pialtos reiterated what was said by Mr. Chagaris regarding suggestion/not requirement. Ms. Heymann spoke of Mr. Hubschman's letter (on behalf of Ms. Maras); regarding time limit negotiation. Mr. Chagaris responded. Dr. Maddaloni stated that the resolution will be voted on this evening. Councilwoman Amitai asked if resolution vote can be tabled as per Ms. Maras' attorney's letter. Mr. Chagaris responded speaking of correspondences he received from separate attorneys, both stating they represent the objector. Dr. Maddaloni restated that resolution will be voted on tonight & that all other motions will be denied. Motion was made by Ms. Heymann & seconded by Dr. Maddaloni to approve/memorialize resolution. Dr. Maddaloni, Ms. Heymann & Mr. Pialtos were in favor of approval of resolution. Ms. Brewster voted against approval of resolution. Mayor Glidden, Councilwoman Amitai, Mr. Montroy, Dr. Goldberg, Mr. Iafrate & Ms. Batool were not qualified to vote. Resolution was memorialized

Resolution Approval Regarding Ordinance Amending & Supplementing Chapter 200-
Specifically Section 200-63 & A301:

Mr. Chagaris stated this will be ready for next meeting.

At this point, the Board went back to item # 3 on agenda: 15 William Street, at which time Dr. Maddaloni & Mr. Montroy recused themselves. Mr. Pialtos took over chairing the meeting. Mr. Pialtos announced item on agenda. Mr. Chagaris spoke of previous site plan application for 15 William Street. Mr. Chagaris spoke of litigation appeal & negotiating points discussed by the Board & the applicant. Mr. Chagaris spoke of a tentative agreement, stating conditions that the parties involved felt would be reasonable regarding settlement. Mr. Chagaris spoke of a video regarding underground pipe as part of these conditions. Ms. Kelly of 15 William Street stated that she did not have a video. Mr. Chagaris spoke of invoice received from Ludwig plumbing regarding mentioned, stating a certification would be needed. Dr. Goldberg asked about the procedure regarding tree replacement. Mr. DeNicola responded, stating there is no developer's agreement for this project & that perhaps condition regarding trees can be including in resolution. Dr. Goldberg asked about responsibility of maintenance of fence, asking if that can be included as a condition of the resolution. Ms. Vellekamp responded, stating she believed that it was not necessary to include in resolution. Ms. Heymann spoke of the application coming before the Board after the work was conducted; asking if fines can be written into resolution. Mr. Chagaris stated that the Board cannot impose a penalty fee. Mr. Pialtos commented on same. Council-

woman Amitai asked for clarification regarding tree planting. Ms. Vellekamp responded stating that trees were shown on the plan.

There were no comments from the public at this time regarding this matter. Motion was made by Mr. Iafrate & seconded by Mr. Pialtos to approve agreement/settlement of litigation. All present were in favor of settlement. Mr. Chagaris stated that he would prepare resolution.

Motion was made by Ms. Heymann & seconded by Councilwoman Amitai to adjourn meeting. Meeting was adjourned at 9:22PM.