

**PLANNING BOARD**  
**BOROUGH OF CLOSTER, NEW JERSEY**  
**Minutes Regular Monthly Meeting**  
Thursday  
August 31<sup>st</sup>, 2017  
8:00 P.M.

Prepared & Submitted by:  
Rose Mitchell  
Planning Board Coordinator

PLANNING BOARD  
BOROUGH OF CLOSTER, NEW JERSEY  
Regular Monthly Meeting  
Thursday,  
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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 31<sup>st</sup>, 2017 in the Council Chambers of the Borough Hall to order at 8:02 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:

Councilwoman Amitai  
Dr. Maddaloni-(Chair)  
Mr. Paltos (Vice-Chair)  
Ms. Heymann  
Ms. Brewster  
Mr. Freyre  
Ms. Batool  
Ms. Corso  
Mr. King-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:

Mayor Glidden

Dr. Maddaloni read correspondence list & asked if there were any comments regarding mentioned. There were comments at this time.

Item # 1

Block/Lot(s) 308/23  
65 Bethany Circle  
Application # P-2017-11

Applicant: Liang/Shen  
Attorney: N/A

Ms. Shen spoke of proposed 6 foot fence on her property. Mr. DeNicola spoke of revised plans submitted. Councilwoman Amitai asked about the easement line in regards to where fence will be installed. Mr. DeNicola responded. Ms. Mitchell spoke of other documentation submitted by applicant regarding other properties regarding fence installation. Councilwoman Amitai asked for further clarification regarding property line. Mr. DeNicola responded. Mr. Paltos asked about color of fence. Ms. Shen & Mr. DeNicola responded. Mr. DeNicola also spoke of fence being installed on easement line & not beyond. Mr. Paltos & Dr. Maddaloni commented on same. Ms. Brewster spoke of fence at 57 Bethany Circle as it pertains to location/drainage. Ms. Brewster

asked for clarification regarding location of applicant's fence. Ms. Shen commented on proposed fence installation. Mr. Freyre spoke of the site triangle. Ms. Shen reminded the Board that proposed fence will replace the previous fence. There were no comments/questions from the public regarding this application. Councilwoman Amitai suggested that trees be planted. Ms. Shen spoke of tree previously removed by Rockland Electric. Dr. Maddaloni stated that the police department had no concerns regarding installation of fence. Motion was made by Mr. Paltos & seconded by Ms. Heymann to approve application with mentioned stipulations. All present were in favor of approval.

Item # 2

Block 2206, Lot 5  
63 Walker Avenue  
Application # P-2017-12

Applicant: Bunyaviroch  
Attorney: N/A

Mr. King swore in Mr. Lantelme of 101 West Street, Hillsdale, NJ spoke of characteristics of soil movement application for purpose of new construction. He also spoke of tree removal. Mr. DeNicola spoke of revised plans submitted & also spoke of truck route. Mr. Lantelme spoke of all items of Mr. DeNicola's review letter being addressed/revised. Mr. DeNicola requested that any future plans include 10 feet of surrounding neighbor's property as it pertains to drainage. Mr. Freyre asked for confirmation regarding house number. Mr. & Mrs. Bunyaviroch responded. Councilwoman Amitai asked about proposed driveway pertaining to location of neighbor's driveway. Mr. DeNicola responded speaking of the 20 ft. requirement. Ms. Brewster spoke of plan received. There were no comments/questions from the public regarding this application. Motion was made by Ms. Heymann & seconded by Ms. Brewster to approve application with mentioned stipulation. Mr. DeNicola reminded the applicant of the 20 foot distance requirement between driveways. All present were in favor of approval with the exception of Councilwoman Amitai who abstained due to a personal relationship with applicant(s).

Item # 3

Block/Lot(s) 606/28  
99 Haring Street  
Application # P-2017-08

Applicant: Park  
Attorney: Donna Vellekamp, Esq.

Ms. Vellekamp spoke of letters distributed to the Board by surrounding neighbors, reminding all that mentioned is not appropriate as also stated by Board counsel in previous e-mails. Ms. Vellekamp requested to know how many members read letters. Mr. King stated that Ms. Vellekamp was entitled to know. Councilwoman Amitai, Ms. Heymann, Dr. Maddaloni & Ms. Corso stated that they read some of the letters; Ms. Brewster stated that she only read the first one and Mr. Paltos, Mr. Freyre & Ms. Batool stated that they did not read any of the mentioned letters. Mr. King reminded the Board that the letters should not be considered evidence in this application. Mr. King swore in Mr. Lydon (applicant's professional planner) of 25 Westwood Avenue, Westwood, NJ. Mr. Lydon spoke of his professional background. Dr. Maddaloni stated that the

Board accepts his credentials. Mr. Lydon spoke of subdivision map plan submitted revised through August 15<sup>th</sup>, 2017. He spoke of variance(s) requesting. Ms. Vellekamp commented on same. Mr. Lydon continued to speak of elements of application. Mr. Lydon distributed a hand-out which was marked as an exhibit accordingly. Mr. Lydon spoke of mentioned handout & continued testimony regarding application. Mr. DeNicola commented on percentages Mr. Lydon spoke of. Mr. Freyre spoke of issues he had regarding percentages spoken of. Mr. Lydon responded to Mr. Freyre's concerns. Dr. Maddaloni also commented on same stating that numbers mentioned should represent "as is" & not include the proposed subdivision lot. Mr. Lydon continued his testimony. Mr. Pialtos asked for clarification regarding square footage of surrounding homes spoken of. Mr. Lydon & Ms. Vellekamp responded. Mr. Lydon continued his testimony, speaking of requested variance(s). Mr. Pialtos stated that it would be beneficial to know when the surrounding homes spoken of were built. Mr. Lydon commented on mentioned. Mr. Lydon spoke of the low impact the proposed subdivision would have on the school system. Dr. Maddaloni & Mr. Pialtos asked for further clarification regarding information given. Ms. Vellekamp commented on same. Mr. Freyre asked for clarification regarding the 2006 reference. Mr. Lydon responded. Dr. Maddaloni stated that the Board's Planner (Ms. Caroline Reiter) will also be giving testimony. Mr. Pialtos stated he needed to leave due to a work matter (time was 9:26PM). Ms. Heymann stated that she would like to ask Mr. Lydon questions prior to Ms. Reiter's testimony. Ms. Heymann stated that there was a required variance that was not mentioned during testimony having to do with acreage size. Ms. Vellekamp responded stated that mentioned variance is listed on plan. Dr. Maddaloni asked about exhibit A-2, speaking of properties within 200-ft radius. Mr. Lydon responded speaking of his conducted study. Councilwoman Amitai asked for clarification regarding building coverage & side yard coverage. Mr. Lydon responded. Ms. Vellekamp commented on same. Mr. DeNicola spoke of the Borough's 50 foot right-of-way requirement. Mr. Lydon commented on same speaking of proposed provided easement. Mr. DeNicola commented on same. Mr. Schiffman of 94 Pine Street spoke of year house was built. Mr. King informed Mr. Schiffman that now was the time for questions to the applicant's planner regarding testimony given. Mr. Schiffman stated that he had no questions at this time. Dr. Maddaloni stated that there would be a time for comments. Mr. Fragola of 73 Haring Street (north of applicant's property) spoke of water runoff & asked if this issue would be taken care of. Mr. Lydon responded speaking of storm water basin locations. Mr. DeNicola commented on same. Mr. Cappelluti of 96 Pine Street (east & adjacent to applicant's site) showed Mr. Lydon a photo Mr. King stated that evidence cannot be introduced at this time. Mr. French of 111 Haring Street (south of applicant's site) spoke of flooding of property, asking how this will be dealt with. Mr. Lydon responded speaking of catch basin(s) & proposed pumps. Mr. French asked about the consideration to change grade. Mr. Lydon responded stating that that would be addressed at a later date (as part of soil movement application). Mr. Schiffman of 94 Pine Street asked Mr. Lydon if he was an engineer. Mr. Lydon responded stating he was a professional planner. Mr. Schiffman expressed his concerns regarding previous answers to surrounding neighbor's questions. Mr. Lazzari of 125 Haring Street asked about the number of houses that are similar in lot size. Mr. Lydon responded. Mr. Lazzari asked for clarification regarding testimony focusing on local area only. Mr. Lydon responded speaking of the Municipal Land Use Law. Ms. Hoffmann of 134 Bergenline Avenue asked about proposed berms. Mr. Lydon responded. Ms. Hoffmann asked about availability of soil report. Mr. Lydon responded that mentioned would be after Board approved application. Ms. Hoffman asked about her property being protected from water drain-

age. Mr. Lydon responded. Mr. Schiffman spoke about number of houses that have been built in the immediate vicinity of applicant's site. Mr. King stated that this was the time for questions, not testimony. Mr. Schiffman asked Mr. Lydon if sites mentioned were compliant. Mr. Lydon responded, speaking of conforming to today's zoning code. Mr. Rosenblum of 65 Knickerbocker Road asked if any hardships were being claimed. Mr. Lydon responded. Mr. Rosenblum asked if any studies were conducted regarding 1-acre subdivision ordinance. Mr. Lydon responded. At this time (10:00PM) Dr. Maddaloni announced a 5-minute recess. Meeting continued at 10:08PM. Dr. Maddaloni stated that the Board Planner for this application will testify at this time. Ms. Caroline Reiter spoke of her professional background. Ms. Reiter she spoke to Mr. Lydon regarding his exhibit during the recess. Ms. Reiter spoke of proposed application speaking of required variances and the potential benefits/detriments to the town. Mr. Freyre spoke of need to look at all elements in regards to better alternatives. Ms. Reiter responded speaking of the purpose of the Municipal Land Use Law. Ms. Reiter continued to speak of proposed subdivision. Mr. Freyre asked for clarification regarding 1-acre requirement. Ms. Reiter responded. Ms. Reiter spoke of negative criteria regarding proposed subdivision; referring to the Borough's Master Plan. Mr. Lydon commented on same. Ms. Reiter continued to read/speak of a section of the Master Plan. Dr. Maddaloni commented on same also stated that site is a substantially undersized lot. Mr. Freyre asked if Ms. Reiter believed that what was being proposed was a better alternative to its current status. Ms. Reiter responded stating she didn't believe proposed would be a better alternative. Ms. Vellekamp spoke of the Master Plan dealing with sites on a case to case basis. Ms. Vellekamp asked Ms. Reiter for clarification regarding the better alternative. Ms. Reiter responded. Mr. Rosenblum of 65 Knickerbocker Road spoke of coverage regarding extra amenities on site & also spoke of the 1-acre requirement. Mr. Schiffman of 94 Pine Street asked for clarification regarding the 17 lots within the 200 ft limit. Ms. Reiter responded. Mr. Schiffman spoke of the smaller lots being zoned under prior zoning code. Ms. Reiter commented on same. Ms. Vellekamp asked for clarification regarding 1-acre requirement in regards to non-conforming lots. Ms. Reiter responded. Mr. King swore in Mr. Cappelutti of 96 Pine Street. Mr. Cappelutti showed the Board pictures taken by him approximately 3 years ago. Ms. Vellekamp objected to pictures being passed around due to age of pictures & that they were taken during the time of the "Sandy" storm. Mr. King stated that objection was noted & the Board should take this into consideration. Mr. King swore in Mr. Rosenblum of 65 Knickerbocker Road. Mr. Rosenblum spoke of the neighbors wanting variety regarding lots. Mr. King swore in Mr. French of 111 Haring Street. Mr. French spoke of maintaining the zoning requirements. Mr. King swore in Ms. Hoffmann of 134 Bergenline Avenue. Ms. Hoffmann spoke of the age of most of the houses in vicinity & stated that mentioned lot should not be split into two. Mr. King swore in Mr. Schiffman of 94 Pine Street. Mr. Schiffman stated that this lot is perfectly zoned at its current status. Ms. Vellekamp summarized application speaking of potential benefits of the approval of mentioned subdivision & that there wouldn't be any real detriments of granting approval. Dr. Maddaloni spoke of his concerns regarding proposed subdivision. Councilwoman Amitai concurred with Dr. Maddaloni also speaking of the negative impact it would have on the surrounding neighborhood. Dr. Maddaloni clarified that he is not anti-variance under different circumstances. Ms. Heymann stated she didn't see any benefit of approving this subdivision. She also spoke of testimony given by Board planner. Mr. Freyre spoke of the re-examination report stating that approval of subdivision would not fit in with mentioned. Motion was made by

Councilwoman Amitai & seconded by Ms. Heymann to deny application. All present were in favor of denial. (Mr. Pialtos was no longer present).

Motion was made by Dr. Maddaloni & seconded by Ms. Batool to adjourn meeting. Meeting was adjourned at 11:15PM.