

PLANNING BOARD
BOROUGH OF CLOSTER, NEW JERSEY
Minutes of Reorganization/W.S./Special Meeting
Wednesday,
January 4th, 2017
8:00 P.M.

Prepared & Submitted by:
Rose Mitchell
Planning Board Coordinator

PLANNING BOARD
BOROUGH OF CLOSTER, NEW JERSEY
Reorganization/Work Session/Special Meeting
Wednesday,
January 4th, 2017

Dr. Maddaloni, Chairman called the Reorganization/Work Session/ Special Meeting of the Planning Board of the Borough of Closter, New Jersey held on Wednesday, January 4th, 2017 in the Council Chambers of the Borough Hall to order at 8:00 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.

Mr. Chagaris swore in Councilwoman Amitai & Mr. Montroy to continue to serve as members of the Planning Board.

The following Planning Board members and professional persons were present at the meeting:

Mayor Glidden
Councilwoman Amitai
Dr. Maddaloni-(Chair)
Mr. Pialtos (Vice-Chair)
Ms. Heymann
Mr. Montroy
Ms. Brewster
Mr. Freyre
Dr. Goldberg
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:
N/A

Dr. Maddaloni read correspondence list; including Mr. Iafrate's resignation from the Board & asked if there any comments regarding mentioned. No comments at this time.

Motion was made by Ms. Heymann and seconded by Mr. Montroy to approve minutes of 12-07-16. All present were in favor of approval.

Open Meeting to the Public: Ms. Levinson of 69 Wilson Place spoke of her concerns regarding commuter parking lots/areas, speaking of the need for mentioned. Ms. Levinson spoke of some potential areas for designated commuter parking. Councilwoman Amitai spoke of an upcoming parking authority meeting. Ms. Heymann spoke of a potential parking area spoken of in the past. Ms. Levinson spoke of the lack of lightening by the Annie Sez section of town & the danger of mentioned. Mr. Isaacson of 97 Columbus Avenue spoke of changing the bus route, reminding

the Board that he has brought this up in the past & speaking of the available parking on Ver Valen Street. The Board commented on same. Dr. Goldberg suggested a formal letter be sent to the Mayor & Council regarding mentioned comments pertaining to parking & bus route(s). Dr. Maddaloni suggested further discussion take place at the next Work Session meeting.

REORGANAZITION PORTION

Mr. Pialtos took over chairing at this point (for purpose of requesting nomination for Chairman). Motion was made by Councilwoman Amitai & seconded by Mr. Montroy to nominate Dr. Maddaloni as Board Chair. All present were in favor with the exception of Dr. Maddaloni who abstained. At this point, Dr. Maddaloni took over chairing the meeting & also thanked the Board for re-nominating him. Motion was made by Councilwoman Amitai & seconded by Ms. Heymann to nominate Mr. Pialtos as Board Vice-Chair. All present were in favor with the exception of Mr. Pialtos who abstained. Motion was made by Ms. Heymann & seconded by Mr. Montroy to nominate Ms. Mitchell as Board Secretary/Coordinator. All present were in favor. Motion was made by Councilwoman Amitai & seconded by Mr. Pialtos to nominate Beattie Padovano, LLC (in the person of Mr. Chagaris) as Board Attorney. Mr. Chagaris stated that he has not applied to represent the Board for this year, however will remain on the Board, on a temporary basis, until a replacement is found. All present were in favor. Motion was made by Councilwoman Amitai & seconded by Mr. Pialtos to nominate Boswell Engineering (in the person of Mr. DeNicola) as Board Engineer. All present were in favor.

Ms. Mitchell spoke of PB fee schedule, recommending the escrow fees be updated (specifically legal escrows). Mr. Freyre spoke of procedure regarding escrow fees. Mr. DeNicola stated that the engineering escrow should remain as is. The Board continued to speak of updating legal escrow fees. Mr. Montroy suggested a study be conducted regarding mentioned fees. Ms. Heymann reminded the Board that any recommendations regarding updated fees would need to be approved by the Council. Ms. Heymann recommended nominating a committee regarding fee schedule restructuring. Ms. Mitchell confirmed that fees have been updated in the past in the midst of a calendar year. Mentioned committee will consist of Mr. Freyre, Mr. Pialtos, Mr. Montroy & Ms. Heymann. Motion was made by Ms. Heymann & seconded by Mr. Montroy to adopt 2017 Fee Schedule as is, subject to further discussion at a later date, following committee meeting(s). Ms. Mitchell reminded the Board that a line item needs to be added regarding engineering escrow for "other applications". All present were in favor of approval.

Motion was made by Ms. Heymann & seconded by Mr. Montroy to designate the Record (North Jersey Media) & the Star Ledger for purpose of legal noticing. All present were in favor of approval. Dr. Maddaloni spoke of Board Subcommittees. It was stated that the Ordinance Draft Review Subcommittee will remain the same as last year, consisting of Ms. Heymann, Councilwoman Amitai, Ms. Batool & Dr. Goldberg as an alternate member. Board engineer will serve as an advisory; The Planning/Zoning Subcommittee will remain the same as last year, consisting of Ms. Heymann, Councilwoman Amitai, Dr. Maddaloni, & Mayor Glidden as an alternate member. Board engineer & attorney will both serve as advisories; The COAH subcommittee will consist of Ms. Heymann, Mr. Freyre, Ms. Batool & Dr. Goldberg as an alternate member; The Master Plan Subcommittee will consist of Mr. Pialtos, Dr. Goldberg, & Ms. Brewster & Councilwoman Amitai as an alternate member.

WORK SESSION PORTION

Item # 1

Block 1607, Lot 3.08
Closter Commons (C-8)
570 Piermont Road
Application # P-2016-13

Applicant: Myung Ga Tofu Enterprise, LLC
Attorney: Donna Vellekamp, Esq.

Ms. Vellekamp spoke of site plan application, commenting on Mr. DeNicola's review letter; stating her concerns regarding item # 4 pertaining to parking modifications, specifically since her client does not own the property. Mr. DeNicola commented on same. The Board spoke of mentioned. Mr. Montroy confirmed that this is a change of use. Motion was made by Mr. Montroy & seconded by Mayor Glidden to deem application complete. All present were in favor of completeness. Ms. Batool did not need to vote. Ms. Mitchell confirmed deadline & hearing dates

2- Liaison's Report- Councilwoman Amitai spoke of the denial by the Mayor & Council regarding 15 William Street signage. Ms. Heymann spoke of the COAH extension granted until April. Mayor Glidden spoke of COAH Gap period.

3- Old Business:

COAH Status- Previously spoken of.

Pending Resolution- Application # P-2016-09; Block 1314, Lot 1 & 2; 248 Closter Dock Road (Wally's Bagels): Since Dr. Maddaloni had previously abstained from vote of approval regarding application & Mr. Paltos had abstained from entire application; Ms. Heymann chaired this portion of meeting. Mr. Chagaris explained the procedure regarding voting on resolution. Councilwoman Amitai requested to read resolution into the record. The Board disagreed with this request due to length of resolution. Mr. Chagaris summed up context of resolution. Ms. Heymann suggested including the resolution as attachment to the minutes. Motion was made by Ms. Heymann & seconded by Dr. Goldberg to approve/adopt the resolution of denial. Mayor Glidden Councilwoman Amitai, Ms. Heymann & Dr. Goldberg voting for approval of resolution adoption All other present members were not qualified to vote.

4- New Business:

No Comments

SPECIAL MEETING PORTION

Item # 1

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

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

Mr. Chagaris spoke of legal issues regarding this application. Mr. Linder introduced himself, stating he was representing the objector, being AME Zion Church. Mr. Chagaris stated that Mr. Linder should speak on behalf of the objectors. Mr. Chagaris asked for clarification regarding who the applicant is. Mr. Meese responded stating that JP Morgan Chase is a lease & also spoke of the shopping center's involvement in regards to relocation of parking spaces. Mr. Meese also spoke of the easement pertaining to the shopping center & the church. Mr. Chagaris commented on same, speaking of the previous agreement regarding use of access of easement. Mr. Meese spoke of a license agreement & an easement agreement. Mr. Chagaris asked if all neighboring properties within 200 ft. of both the shopping center & the church were notified. Mr. Meese responded stating that all were notified. Mr. Meese continued to speak of the easement & both properties. Mr. Chagaris spoke of the definition of an easement. Mr. Freyre asked about both the easement & license agreements. Mr. Meese responded. Mr. Chagaris commented on same. Dr. Maddaloni asked about use of parking spots. Mr. Meese responded & continued to speak of application. Mr. Montroy asked about communication between applicant & the church. Mr. Meese responded. Dr. Maddaloni asked about increase of use of shopping center if application is approved. Mr. Meese responded & also continued to speak of legal elements of application. Mr. Chagaris asked Mr. Linder if he would like to put his legal argument on the record. Mr. Linder deferred at this time. Mr. Chagaris swore in Mr. DeWitt of 58 Mount Bethel Road, Warren, NJ. Mr. DeWitt spoke of his professional background. Mr. DeWitt spoke of application & site plan submitted; speaking of what would be part of lots 1.01 & 1.02. Dr. Maddaloni asked about truck route. Mr. DeWitt responded. Mr. DeNicola commented on same. Mr. Montroy also commented on proposed truck route. Mr. DeWitt continued to speak of application. Mr. DeNicola asked about parking reconstruction. Mr. DeWitt responded. Mr. DeWitt spoke of setbacks. Mr. DeNicola commented on same. Mr. DeWitt continued to speak of various elements. Mr. DeNicola spoke of the future repaving of VerValen Street. Mr. Montroy commented on same; also speaking of utilities. Dr. Maddaloni asked about lighting. Mr. DeWitt responded, stating he will be giving testimony on this. Mr. DeWitt spoke of water runoff. Mr. DeNicola commented on same. Councilwoman Amitai asked about foundation/slab. Mr. DeWitt responded. Mr. Montroy commented on same. Mr. DeWitt spoke of proposed site lighting. Dr. Maddaloni spoke of lighting fixtures in regards to likeness to plaza lights. Mr. DeWitt spoke of proposed landscaping. Dr. Goldberg asked about the ADA parking. Mr. DeWitt responded. Dr. Goldberg asked for further clarification. Mr. DeWitt that applicant is complying with required handicap spots. Dr. Goldberg continued to comment on same. Mr. Montroy spoke of the ADA adopted standard regarding handicap parking spots. Mr. DeWitt spoke of proposed signage. Mr. Meese commented on same. Mayor Glidden spoke of the design of the building being inconsistent with the rest of the plaza, specifically the roof design. Mr. DeWitt stated that there are Chase banks that construct a flat roof as oppose to a peak roof. Mr. Meese concurred that Chase would agree to go with whatever the Board prefers regarding roof design. Mr. Freyre spoke of stucco design; in regards to consistency with the rest of the plaza. Mr. DeWitt continued to speak of proposed signage. Ms. Heymann spoke of the Borough's sign ordinance. Mr. Montroy spoke of complying with the Borough's sign ordinance. Mr. DeWitt continued to speak of elements of application; commenting on variance(s) & waiver(s) requested. Mr. Meese spoke of Mr. DeNicola's review letter. Mr. DeWitt commented on same; stating that revised plans will be submitted. Mr. Freyre spoke of the omission of the one proposed ATM drive up; expressing his concerns of traffic. Mr. Paltos also commented on ATM; stating it would be more beneficial

to have 2 ATM options. Ms. Heymann asked about proposed landscaping, requesting a space for a rain garden. Mr. DeNicola commented on same. Mr. Meese asked for clarification of requested rain garden. Mr. DeNicola responded. Councilwoman Amitai asked for further clarification. Mr. DeNicola responded. Ms. Heymann spoke of additional items regarding proposed landscaping. Mr. DeWitt responded to Ms. Heymann's comments. Councilwoman Amitai spoke of exhibit A-2 regarding copy of license submitted. She also asked about water runoff in front of building. Mr. DeWitt responded speaking of catch basins. Councilwoman Amitai asked about lighting. Mr. DeWitt responded. The Board discussed lighting pertaining to effect on neighboring properties. Mr. Pialtos also spoke of lighting. Councilwoman Amitai requested a traffic study be conducted. Mr. Meese stated that he didn't think that a traffic study/report should be required based on this being an approved use. Mr. DeNicola & Mr. Chagaris commented on same. Mr. Montroy spoke of the repaving of Ver Valen Street pertaining to the timing of construction permits being issued. Ms. Brewster asked about outside storage/refuge & snow removal. Both Mr. Meese & Mr. DeWitt responded. Ms. Brewster asked about safety regarding parking area & ATM usage. Mr. DeWitt responded. Ms. Brewster also spoke of the proposed yellow striping in parking area. Mr. DeNicola responded. Ms. Brewster asked for clarification regarding signage on Ver Valen side. Mr. Meese responded. Mr. DeNicola commented on same. Mr. DeNicola asked about landscape irrigation. Mr. DeWitt responded. Mr. Freyre asked about employee parking. Mr. DeWitt responded. Mr. Chagaris swore in Mr. Moffatt (Market-Director/Representative of Chase Bank). Mr. Moffatt responded to previous question regarding employee parking. Dr. Goldberg asked about curb car stops (wheel stops). Mr. Moffatt stated that stops are not proposed as of now. Dr. Goldberg recommended installing them. Mr. Moffatt spoke of width/length of spaces in regards to same. Mr. DeNicola commented on same stating that wheel stops are not required, however can be requested. Ms. Heymann requested a revised landscape plan. Mr. Rosenblum of 65 Knickerbocker Road asked if this lot has been compacted. Mr. DeNicola responded. Mr. Rosenblum asked for clarification regarding parking reconfiguration Mr. DeWitt responded. Mr. DeNicola commented on same. Mr. Rosenblum asked about access to the ATM. Mr. Moffatt responded. Mr. Rosenblum asked about the storm system. Mr. DeNicola responded. Mr. Rosenblum asked about requested waivers. Mr. Meese responded. Mr. Linder (objector's attorney) asked about accommodation of the church's property parking area. Mr. DeWitt responded. Mr. Linder asked about noticing. Mr. DeWitt stated he is not involved in noticing. Ms. Levinson of 69 Wilson Place spoke of the importance of the Borough codes regarding signage/lighting. Mr. Meese responded also speaking of the State statute regarding lighting. Mr. DeWitt commented on same. Mr. Chagaris recommended revised plans be submitted prior to additional testimony; & also spoke of Councilwoman Amitai's recommendation to retain a Board expert. Dr. Maddaloni commented on same; stating that in this case, he does not feel the need to bring in expert witnesses on behalf of the Board. Mr. Pialtos concurred. Ms. Heymann spoke of previous times that planners may have been needed; also stating she didn't feel like a planner was needed. Majority of the Board decided against obtaining professional experts on behalf of the Board. Announcement was made that application will carry until January 26th & that notice will also carry. Ms. Mitchell confirmed deadline date.

Motion was made by Ms. Heymann & seconded by Mr. Montroy to adjourn meeting. Time was 10:50 PM.