

PLANNING BOARD
BOROUGH OF CLOSTER, NEW JERSEY
Work Session Meeting
Wednesday,
March 4th, 2020
8:00 P.M.

Prepared & Submitted by:
Rose Mitchell
Planning Board Coordinator

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Dr. Maddaloni, Chairman called the Work Session Meeting of the Planning Board of the Borough of Closter, New Jersey held on March 4th 2020 in the Council Chambers of the Borough Hall to order at 8:03 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
Dr. Barad
Ms. Brewster
Mr. DiDio
Ms. Ferullo-(Alt#1)
Mr. Wong- (Alt # 2)
Ms. Mocco- Acting Board Attorney
Mr. DeNicola-, Boswell Engineering
Rose Mitchell, Planning Board Coordinator

The following Planning Board members and professional persons were absent from the meeting:

Ms. Batool
Mr. King- Board Attorney

Dr. Maddaloni read correspondence list. There were no comments regarding mentioned.

Motion was made by Ms. Heymann & seconded by Councilwoman Amitai to approve the February 5th, 2020 Work Session minutes. All present were in favor of approval.

Open to the public: No comments at this time.

Item # 1

Block 2102, Lot 24
14 Venus Drive
Application # P-2020-02

Applicant: Omer
Attorney: N/A

Mr. DeNicola spoke of his review letter concerning this soil movement application. He stated that the biggest item is the DEP issue; however that the application can be given a conditionally approval. Ms. Brewster asked for clarification regarding # of trees to be removed. Mr. DeNicola responded speaking of sizes of trees. Ms. Mitchell also spoke of tree removal & report submitted by Mr. Fuchs. Councilwoman Amitai spoke of coverage being maxed out. Motion was made by Ms. Heymann & seconded by Mr. DiDio to deem application complete. All present were in favor of completeness with the exception of Mr. Wong who didn't need to vote. Mr. Mitchell spoke of deadline dates/revised plans/ noticing.

Item # 2

Block 1309, Lot 6
273 Closter Dock Road
Application # P-2020-03

Applicant: 273 Closter Dock, LLC
Attorney: Nylema Nabbie, Esq.

Mr. Pialtos recused himself from this application. Ms. Nabbie spoke of this site commenting on the previous 2019 application before the Planning Board. Ms. Nabbie stated that she believed that Councilwoman Amitai has a conflict of interest regarding this application due to an email communication sent to the entire Board which violates the open public meeting act. Ms. Mocco stated that she didn't believe mentioned was a conflict of interest & also stated that it has come to light that work is being conducted on the property. Ms. Nabbie stated that these mentioned comments are two separate issues. Ms. Mocco responded also stating that she is advising the Board not to approve completeness this evening & this action is premature at this time. Ms. Nabbie stated that Councilwoman Amitai should step down from the dais. Councilwoman Amitai stepped down at this time. Ms. Nabbie spoke of construction permits obtained from her client. Ms. Nabbie then again mentioned Councilwoman Amati's email of February 3rd, 2020. Ms. Nabbie spoke of complaint from a concerned resident regarding work being conducted. Ms. Brewster stated that she was the concerned resident. Ms. Nabbie spoke of email received from Mr. Peters clarifying that work was being done with correct permits & stated there is no legal basis for this to be back before the Board. Ms. Mocco responded, speaking of the determination of the preexisting nonconforming use endurance. Ms. Nabbie stated that the Planning Board has no jurisdiction over the Construction Official's approval for permits. Mr. DeNicola spoke of proposed use, speaking of a possible food hall. Ms. Nabbie responded speaking of allowed uses. Mr. DeNicola reiterated his question regarding use. Dr. Maddaloni asked Mr. Peters to step up to the dais for clarification. Mr. Peters spoke of timeline of project, speaking; He spoke of the open communication between himself & the applicant. Mr. Peters spoke of construction permits that were obtained. He stated that the layout remains the same. Mr. Peters stated that Ms. Sausa showed him a plan indicated a food establishment/court; at this point, he proceeded to suggest Planning Board review. Ms. Nabbie stated that everything spoken of by Mr. Peters is a code issue, not a Board issue & she also spoke of Mr. Peter's letter regarding further review before the Planning Board. Ms. Mocco again spoke of the need for the legal analysis needed regarding the scope of work & non-conforming preexisting condition. Ms. Sausa spoke of plans submitted. Ms. Nabbie reiterated that her client does not need to be before the Board. Dr. Maddaloni asked Mr. Peters for further clarification. Mr. Peters responded speaking of the further review request.

Ms. Mocco advised that completeness should not be approved today. Ms. Sausa & Ms. Nabbie spoke of parking which will decrease. Mr. DeNicola commented on same speaking of the calculations based on proposed use & amount of seats. Mr. Peters also commented on same stating that tenant occupancies have not been applied for yet. Ms. Brewster spoke of the previous application before the Board. Ms. Mitchell stated that there was no hearing for previous application; which was withdrawn. Ms. Nabbie reiterated that the request for further review by the Board should be rescinded since it is premature at this time. Ms. Mocco commented on same. Mr. DeNicola & Ms. Sausa spoke of parking. Mr. Peters stated he would revoke the notice of request for further review at this time (& will issue a new one if & when needed). Applicant concurred & application was withdrawn. Dr. Barad spoke of original application & plans submitted. Ms. Sausa commented on same. Mr. Tristani (A business partner of applicant) of 72 Hickory Lane spoke of the continued parking issues within the Borough. Ms. Ferullo spoke of safety issues in regards to the parking lot. Ms. Brewster also expressed her concerns regarding same. Ms. Sausa asked for clarification regarding parking spot exacerbation. Mr. DeNicola responded. It was reiterated that notice was rescinded & application was withdrawn.

3- Liaison's Report- No comment at this time.

4- Old Business:

Fellow-up regarding Tree Removal Ordinance: Dr. Barad stated that he incorporated suggestions made at the last work session into memo; which has been sent to the ordinance committee. Motion was made by Dr. Barad to approve discussed amended recommendations regarding tree ordinance; this motion was seconded by Mayor Glidden. All present were in favor.

Follow-Up Regarding- Recommendation of Possible Zoning Changes:

Councilwoman Amitai spoke of the subcommittee meeting that took place; Ms. Heymann stated that recommendations will be made regarding zoning changes. (To be discussed further at next meeting) Dr. Barad asked for legal clarification regarding time of decision pertaining to zoning changes. Ms. Mocco responded speaking of proper noticing & waiting period. Ms. Heymann further questioned process, speaking of the effect on pending applications. Ms. Mocco responded

Follow-up & Response to Borough Attorney regarding Ordinance Amending/Supplementing Chapter 200: Article X Industrial Area:

Ms. Mocco clarified purpose of this. A straw poll vote was taken regarding Industrial Area 5-A (which was known as the Reuten Drive Industrial Area). Clarification was made that this does not change uses; only terminology. All members agreed (via straw poll vote). Ms. Mocco stated that she would send correspondence to Mr. Rogan.

Motion was made by Mayor Glidden & seconded by Dr. Barad to adjourn meeting. Meeting was adjourned at 9:35PM.