

PLANNING BOARD
BOROUGH OF CLOSTER, NEW JERSEY
Minutes of Reorganization, Special
& Work Session (Virtual) Meeting
Wednesday,
January 6th, 2021
8:00 P.M.

Prepared & Submitted by:
Rose Mitchell
Planning Board Coordinator

PLANNING BOARD
BOROUGH OF CLOSTER, NEW JERSEY
Reorganization/ Special/Work Session Meeting
Wednesday,
January 6th, 2021

Dr. Maddaloni, Chairman called the Virtual Reorganization/ Special/Work Session Meeting of the Planning Board of the Borough of Closter, New Jersey held on Wednesday, January 6th, 2021 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.

Mr. King swore in Councilwoman Amitai, Ms. Heymann, & Ms. Furello. Mayor Glidden thanked the reappointed members for continuing to serve on the 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
Dr. Barad
Mr. DiDio-839PM
Ms. Batool
Ms. Ferullo-(Alt#1)
Mr. Wong (Alt # 2)
Mr. King- Board Attorney
Mr. DeNicola-, 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. Dr. Maddaloni spoke of correspondence regarding Ms. Brewster's resignation. Ms. Heymann suggested not accepting her resignation at this time. (since she believes Ms. Brewster is considering returning to the Board. Mayor Glidden stated he would follow up with Ms. Brewster.

Motion was made by Mayor Glidden & seconded by Dr. Barad to approve minutes of 09/02/2020. All present were in favor of approval with the exception of Councilwoman Amitai who abstained. Motion was made by Ms. Heymann & seconded by Mr. Pialtos to approve minutes of 09/24/2020. All present were in favor of approval with the exception of Ms. Ferullo who abstained. Ms. Mitchell reminded the Board that the last 2 sets of minutes for 2020 were lost during issues with main server & that the servers have not been repaired as of now.

Open Meeting to the Public: No comments at this time.

REORGANIZATION PORTION

Mr. Paltos took over chairing at this point (for purpose of requesting nomination for Chairman). Motion was made by Mayor Glidden & seconded by Dr. Barad to nominate Dr. Maddaloni as Board Chair. All present were in favor with the exception of Dr. Maddaloni who was recused from this vote.

At this point, Dr. Maddaloni took over chairing the meeting & also thanked the Board for re-nominating him & spoke of the challenging year that Board had, having to run meetings via ZOOM. Motion was made by Councilwoman Amitai & seconded by Mayor Glidden to nominate Mr. Paltos as Board Vice-Chair. All present were in favor with the exception of Mr. Paltos who was recused from this vote. Mr. Paltos thanked the Board & wished everyone a happy & healthy new year.

Motion was made by Ms. Heymann & seconded by Mr. Paltos to nominate Ms. Mitchell as Board Secretary/Coordinator. All present were in favor. Ms. Mitchell thanked the Board.

Motion was made by Mr. Paltos & seconded by Ms. Batool to nominate Mr. King of the law firm of Decotis, Fitzpatrick, Cole & Giblin, LLP as Board Attorney. All present were in favor. Mr. King thanked the Board & stated he was happy to work with the Board.

Motion was made by Councilwoman Amitai & seconded by Mr. Paltos to nominate Boswell Engineering (in the person of Mr. DeNicola) as Board Engineer. All present were in favor. Mr. DeNicola thanked the Board. Councilwoman Amitai complemented Mr. DeNicola. Mr. Paltos concurred.

Dr. Maddaloni & the Board spoke of the PB fee schedule, speaking of the Zoning Board's fee schedule & surrounding town's fees. Ms. Heymann agreed to work with Ms. Mitchell regarding research of other town's PB fee schedule. Decision was made to revisit this at a later date. Motion was made by Ms. Heymann & seconded by Councilwoman Amitai to adopt current fee schedule as is. (Changes will be further discussed/determined at a later date. All present were in favor to adopt fee schedule with the exception of Mr. DiDio (since he wasn't present during the entire discussion)

Motion was made by Mr. DiDio & seconded by Councilwoman Amitai to designate the Bergen Record (North Jersey Media) & the Star Ledger for Board legal noticing purposes for the 2021 calendar year. All present were in favor.

Dr. Maddaloni spoke of Board Subcommittees. Ms. Mitchell spoke of same. Upon discussion by the Board, It was decided that the Ordinance/ Planning-Zoning Review Subcommittee would remain combined & would consist of Dr. Maddaloni, Ms. Heymann, Councilwoman Amitai & Dr. Barad; with Ms. Brewster & Ms. Batool serving as alternates. Both Board engineer and attorney will serve as advisories; The COAH subcommittee will consist of Ms. Heymann, Ms. Batool, Ms. Ferullo and Councilwoman Amatai & Mr. Wong will serve as alternate member. The Master Plan Sub-committee will consist of Mr. Paltos, Ms. Heymann, Ms. Brewster & Councilwoman Amitai; with Dr. Barad & Dr. Maddaloni serving as alternate members. (*Subject to change if Ms. Brewster's resignation remains in play). The Tree Subcommittee will consist of Dr. Barad, Councilwoman Amitai, Dr. Maddaloni, Ms. Heymann (EC), Mr. DeNicola as advisory & Mr. Fuchs (Borough Tree Expert)

Special Meeting Portion

Item # 1

Block 1601, Lot 14
311 Lindbergh Avenue
Application # P-2020-09

Applicant: Yuval Tal
Attorney: N/A

Mr. King spoke of the unusual nature of this specific application. He spoke of the portion of Cleveland Street; which was a paper street & was vacated in 20002. Mr. King spoke of the 2020 zoning permit application that Mr. DeBlasio submitted to Mr. Kim (Zoning Officer). Mr. King also spoke of the limited authority the PB has in regards to this application. Mr. King clarified that the applicant at this meeting is Mr. Tal. Councilwoman Amatai spoke of the time when the property was vacated. Mr. King swore in Mr. Jimmy Kim (Borough's Zoning Officer). Mr. Kim spoke of fence application received from Mr. DeBlasio referring to the vacant lot. Mr. Kim spoke of approval given as per the Borough Ordinance. Mr. King asked if Mr. Kim considered Mr. DeBlasio's zoning application complete and if it complied with section 103 of the code as it pertains to fence installations. Mr. Kim responded yes on both accounts. Councilwoman Amitai spoke of her concern regarding fence location regarding the difficulty of Mr. Tal entering his driveway. Mr. Kim responded, restating that fence was approved as per code. Mr. King swore in Mr. Tal of 311 Lindberg Avenue. Mr. Tal spoke of his previous house number; which was 110 Cleveland Street; this was prior to street being vacated. He spoke of his concerns about the location of the approved fence, & how it would block access to his driveway. He also expressed his concerns of any emergency vehicles having access to his house. Mr. King swore in Mr. DeBlasio of 26 Truman Court. Mr. DeBlasio spoke of paper street & that Mr. Tal was given the extra paper road by the Borough at the time he purchased his house. Mr. DeBlasio stated that the fence approved would not block Mr. Tal's access to his driveway. Mr. DeBlasio stated he had every right to install mentioned fence. He also stated that he will not give up his land. Mr. Tal responded to Mr. DeBlasio's comments. Mr. Tal stated that he did not receive anything from the town when purchasing the house. Ms. Ferullo asked about the purpose of the fence being installed. Mr. DeBlasio responded, speaking of trying to prevent encroachment and also spoke of the deer situation. Mr. DeBlasio also stated he didn't feel the need to explain why he wanted the fence; & that he has the right to install the fence. Mr. Tal spoke of his vehicle parking. Councilwoman Amtai spoke of the marked gas & water lines. Mr. King commented on same; speaking of the underground utility lines. Mr. DeNicola asked for clarification from Mr. Kim regarding fence height in front yard. Mr. Kim responded, stating that all that was addressed with Mr. DeBlasio. Councilwoman Amitai spoke of the Borough's possible mistake that may have taken place when vacating mentioned street. Mr. Kim responded stating that he is not a planner or an engineer, therefore is not qualified to testify on this. Ms. Heymann asked what year the ordinance was done regarding vacating the property. Mr. King responded, stating it was the year 2002. Ms. Heymann spoke of Mr. Tal's concerns. Mr. Tal responded. Mr. Wong asked for clarification regarding zoning application. Mr. Kim responded, concurring that application was complete. Ms. Batool asked Mr. Kim if this fence would be an issue for Mr. Tal entering his driveway. Mr. Kim responded stating he is not qualified as the Zoning Officer to determine this. Mayor Glidden asked Mr. DeNicola if he visited the site. Mr. DeNicola responded, stating that he did visit the site & commented on findings. Mayor Glidden asked if there can be a compromised settlement between both parties concerning this matter. Mr. DeBlasio responded, stating that he would like to install this fence & that he has the right to do so. Mr. Tal stated that he feels bad about how upset Mr. DeBlasio. Mayor Glidden suggested that both parties meet with the

Board engineer to attempt to figure out a negotiating point & meet in the middle. Mr. Tal stated he would be willing to do that. Mr. DeBlasio stated that he didn't want to do that, since they already met with Mr. Kim on site. Mr. DeNicola spoke of a possible solution for both parties: this would be a change to both Mr. Tal's driveway & Mr. DeBlasio's fence. Dr. Maddaloni concurred that both parties should agree on a compromise; upon meeting with Mr. DeNicola. Dr. Barad concurred, stating he believed this was a neighbor to neighbor matter. Councilwoman Amitai apologized on behalf of the Borough for the previous decisions made regarding vacating of mentioned street. Ms. Ferullo suggested a way to angle the fence to rectify issue. Mr. DeBlasio asked what Mr. Tal's compromise would be. Both Mayor Glidden and Dr. Maddaloni responded speaking of the purpose of the meeting with Mr. DeNicola. Mr. DeBlasio asked if Mr. Tal would be willing to change his driveway. Mr. Tal responded, stating he is willing to hear the options. Motion was made by Dr. Barad & seconded by Mayor Glidden to carry application to the February 25th meeting; in order to give the parties the opportunity to meet and agree on a solution. All present were in favor of carrying application.

Work Session Portion

Motion was made by Ms. Heymann & seconded by Dr. Maddaloni to cancel the January 28th meeting. All present were in favor

1-Liaison's Report- No comments at this time.

2- Old Business:

Follow-Up Regarding Borough Ordinance pertaining to tree removal (Ordinance #2019-1266) - Dr. Barad stated that this is still be worked on in the ordinance committee.

Follow-Up Regarding Recommendation of possible Zoning Changes based on previous Board Discussion.- Ms. Heymann stated that this is still in the works & being discussed. Mr. Kwon (Business owner of 11 Homans) stated he has been attended the PB meetings for a very long time; & that he is still waiting for an answer regarding this matter. He also spoke of this in light of the Master Plan & how it will benefit other properties & not just his property. Mr. Kwon emphasized how this is been postponed for a very long time. Ms. Heymann expressed concerns regarding mistaken any changes as spot zoning Mayor Glidden commented on same, stating that he agreed that it wasn't fair that Mr. Kwon is still waiting. Ms. Heymann stated that the subcommittee will meet on this & report back to the Board.

3-New Business:

No Comments

Mayor Glidden wished all a Happy New Year & gave a brief COVID report, stating that there has been a spike.

Motion was made by Mayor Glidden & seconded by Mr. DiDio to adjourn meeting. Meeting was adjourned at 10:45PM.