

Planning Board

April 27, 2023

Meeting

Minutes



THESE PROCEEDINGS WERE HELD VIRTUALLY

CALL TO ORDER

7:30pm

ATTENDANCE

Present

- David Barad, MD- Class IV/Chairman
- Dean Paltos- Class IV/Vice Chairman
- Tsun-Yam Tam- Class II/Borough Historian
- Victoria Amitai- Class III/Councilperson/Council Liaison
- Robert Di Dio- Class IV/Full Member
- Ansar Batool- Class IV/Full Member
- Angela Ferullo- Class IV/Full Member
- Conway Wong- Class IV/Full Member/Environmental Commission Liaison
- Avia Blum- Class IV/Alternate #1
- Daniel Steinhagen, Esq.- Board Attorney
- Nicholas De Nicola, PE- Board Engineer
- Paul Demarest- Board Coordinator/Secretary

Absent

- John Glidden- Class I/Mayor
- Zachary Messinger- Class IV/Alternate #2

CORRESPONDENCE

Chairman Barad read mail received by the Board into the record.

OPEN TO PUBLIC

n/a;



MINUTES

A motion was made by Mr. Di Dio and seconded by Mr. Tam to approve the minutes for the March 30, 2023 Work Session and Meeting. The motion passed (8-0-0):

Yes- Blum; Wong; Ferullo; Di Dio; Amitai; Tam; Paltos; Barad;

No- n/a;

Abstain- n/a;

RESOLUTIONS

n/a;

CASELOAD**#1 CASE P-2022-10**

APPLICANT:	FERMANO BUILDERS, LLC
SUBJECT PROPERTY:	38 WILSON PLACE
BLOCK/LOT:	1905/7
ZONING DISTRICT:	1 (RESIDENTIAL A)
REPRESENTATION:	DONNA VELLEKAMP, ESQ.
REAL ESTATE TAX:	CURRENT THRU 2022/4 TH QUARTER
AFFIDAVIT OF SERVICE:	JANUARY 12, 2023
AFFIDAVIT OF PUBLICATION:	JANUARY 11, 2023

Synopsis

The applicant is seeking Major Soil Movement Approval for the construction of a new 1-family house, swimming pool (in-ground) and associated appurtenances; the application was received December 19, 2022 and scheduled for the January 4, 2023 Work Session, at which time, it was deemed complete; pending the Board's receipt of requested items and public noticing requirements, the application was scheduled for the January 26, 2023 Meeting; the applicant's engineer and a principal of the applicant, which is a corporate entity, testified and were cross-examined, and the case was adjourned, pending the Board's receipt of requested items, to the February 23, 2023 Meeting; due to a scheduling conflict with the applicant, the case was postponed to the March 30, 2023 Meeting; in order to obtain all items requested as per the application being deemed complete, the case was postponed to the **April 27, 2023 Meeting**.

Relief Sought

- 1.) Soil Movement (<250 cy permitted/962 cy provided);

Witnesses

- 1.) Perry Frenzel, PE, Azzolina & Feury Engineering, Inc., 30 Madison Avenue, Paramus, New Jersey;

Exhibits

n/a;

Prior Completeness Review Requests

- 1.) address all items in letter prepared by Board Engineer and dated December 29, 2022;
- 2.) reference NJAC 7:13-2.2 to determine any buffer requirements relating to existing channel/ditch associated with tributary of Category-One waterway (as classified by New Jersey Department of Environmental Protection) which is located east of subject property and revise site plan accordingly;
- 3.) consider underground electric utility installation and revise site plan accordingly;
- 4.) obtain administrative report from Borough's Tree Expert in response to filed tree removal permit application and consider retaining as many of 22 trees proposed for removal as possible given impact on soil erosion, drainage, etc. (ensure subject trees are identified with ribbon to allow for inspection);
- 5.) consider collecting water from proposed swale into proposed seepage pit(s) rather than allowing it to drain onto Wilson Place resulting in potential icing conditions;
- 6.) ensure proposed tree mitigation schedule is legible on all relevant submissions;
- 7.) revise site plan to include site cross-sections of existing and proposed grades given portions of subject property



would be raised 2' to 3';

Prior Meeting Requests

- 1.) revise Board application to reflect increase in proposed soil movement from 805 cy to 962 cy;
- 2.) obtain New Jersey Department of Environmental Protection approval;
- 3.) post additional \$350.00 in engineering escrow;
- 4.) provide tree mitigation plan in response to administrative report prepared by Borough Tree Expert and dated January 10, 2023 ensuring 2 additional tree plantings (19 are proposed as opposed to 21 required) are deciduous;
- 5.) consider retaining larger-sized trees throughout subject property proposed for removal negating concern about loss of groundwater absorption and drainage towards neighboring properties as well as ensure trees proposed for removal are identified correctly on-site in response to administrative report prepared by Environmental Commission and dated January 15, 2023 and revise site plan accordingly;
- 6.) revise site plan to indicate electric utility will be installed underground without installation of riser pole (Road Opening Permit will be required);

New Meeting Requests

n/a;

Public Questions

n/a;

Public Comments

n/a;

Decision

A motion was made by Mr. Di Dio and seconded by Vice Chairman Pialtos to approve the application. The motion passed (9-0-0):

Yes- Blum; Wong; Ferullo; Batool; Di Dio; Amitai; Tam; Pialtos; Barad;

No- n/a;

Abstain- n/a;

Conditions

- 1.) obtain Individual Permit from New Jersey Department of Environmental Protection (amendments to Board-approved site plan would necessitate Board review);
- 2.) revise site plan to indicate splitting up of proposed 2 seepage pit system in front yard so that southerly pit remains in place and northerly pit is relocated to west of driveway near 10"-diameter tree to be removed thereby ensuring health of existing 36"-diameter tree;
- 3.) revise site plan to indicate relocation of proposed 3 seepage pit system in rear yard westerly towards swimming pool to prevent saturation of wall's reinforcement zone;
- 4.) revise seepage pits calculations taking into account pit relocations indicated in Condition #'s 2 and 3;
- 5.) revise retaining wall calculations given change in slope along wall resulting from proposed swale;

#2 CASE P-2023-03

APPLICANT:	142 CLOSTER DOCK, LLC
SUBJECT PROPERTY:	142 CLOSTER DOCK ROAD
BLOCK/LOT:	1301/7
ZONING DISTRICT:	3A (BUSINESS)
REPRESENTATION:	MATTHEW CAPIZZI, ESQ.
REAL ESTATE TAX:	CURRENT THRU 2023/1 ST QUARTER
AFFIDAVIT OF SERVICE:	APRIL 4, 2023
AFFIDAVIT OF PUBLICATION:	APRIL 6, 2023

Synopsis

The applicant is seeking Major Soil Movement Approval for the construction of a new 2-family house and associated appurtenances; the application was received March 20, 2023 and scheduled for the March 30, 2023 Work Session, at



which time, it was deemed complete; pending the Board's receipt of requested items and public noticing requirements, the application was scheduled for the **April 27, 2023 Meeting**.

Relief Sought

- 1.) Soil Movement (<250 cy permitted/505 cy provided);

Witnesses

- 1.) Sean Mc Clellan, PE, Lantelme, Kurens & Associates, PC, 101 West Street, Hillsdale, New Jersey;

Exhibits

n/a;

Prior Completeness Review Requests

- 1.) address all items in letter prepared by Board Engineer and dated March 27, 2023;
- 2.) provide tree mitigation plan, report prepared by Borough's Tree Expert and overall landscape plan;
- 3.) revise site plan to size proposed seepage pits so their capacity accounts for driveway even though, in actuality, drainage of driveway will not be handled by pits;
- 4.) revise site plan to relocate proposed right-facing driveway so it does not impact health of nearby shade tree;
- 5.) revise site plan to relocate curb cut of proposed left-facing driveway so it does not interfere with existing storm drain in thoroughfare;
- 6.) provide administrative report prepared by Shade Tree Commission;
- 7.) revise site plan to include 1 swale each in both side yards;
- 8.) revise site plan to include 1 shade tree to be planted in grass buffer between proposed curb and sidewalk slightly right of bend in Closter Dock Road;

Prior Meeting Requests

n/a;

New Meeting Requests

n/a;

Public Questions

n/a;

Public Comments

- 1.) Mark Maddaloni, 163 Closter Dock Road, Closter, New Jersey;
- 2.) Julio Torres, 134 Closter Dock Road, Closter, New Jersey;

Decision

A motion was made by Councilwoman Amitai and seconded by Vice Chairman Paltos to approve the application. The motion passed (9-0-0):

Yes- Blum; Wong; Ferullo; Batool; Di Dio; Amitai; Tam; Paltos; Barad;

No- n/a;

Abstain- n/a;

Conditions

- 1.) revise site plan to indicate change in species of proposed right-facing shade tree from 2½"-diameter red maple to 2½"-diameter cherry as well as relocating it to within grass buffer between curb and sidewalk and further northwest so to be facing directly opposite shade tree in front of 163 Closter Dock Road thereby creating symmetry of tree canopy;
- 2.) revise site plan to indicate relocation of 1 or both of proposed seepage pits, taking into account presence of gravel around their perimeter, to avoid compromising health of nearby living fence (arborvitae);
- 3.) forward revised site plan to Zoning Board of Adjustment being its Use Variance Approval for new 2-family house preceded Major Soil Movement application;
- 4.) collaborate with property owner of 134 Closter Dock Road on both vegetation buffer and fencing options along shared property line;



LIAISON REPORTS

Councilwoman Amitai briefed the Board on the following:

- 1.) Borough recently celebrated 75th anniversary of establishment of Israel as nation (Borough also celebrated first being settled 313 years ago);
- 2.) Mayor Glidden headed recent meeting with Chairman Barad and Councilwoman Amitai as well as their Zoning Board of Adjustment counterparts, Borough Attorney, Construction Official, Zoning Officer and Borough Administrator to discuss improving dialogue between both Boards and Borough's enforcement agents as well as to ensure that requests to deviate from prior Board decisions are referred to them (Mr. Steinhagen is drafting amendment to Chapter 173 of Borough Code to clarify process, including what constitutes de minimis field change, for Governing Body's consideration);
- 3.) Borough is in contract negotiations with developer to convert former Village Middle School (511 Durie Avenue) to a 35-unit affordable housing complex as per Borough's court-approved settlement with fair housing advocate (Fair Share Housing Center) replacing corporation affiliated with Bergen County Housing Authority which withdrew from project;
- 4.) Borough authorized Construction Official to obtain license enabling him to conduct State of New Jersey's newly-required lead paint inspections for residential rental units;
- 5.) Historic Preservation Commission recently submitted nomination report to designate entire thoroughfare of Hickory Lane as Historic Landmark for Governing Body's consideration as it previously secured for Blanch Avenue (it is also considering nominating Nagel/Auryansen Cemetery located off Susan Drive for such);
- 6.) Historic Preservation Commission and Environmental Commission's ongoing commemorations of late former Mayor and prolific Borough volunteer, Sophie Heymann, continue at Harold Hess Lustron House (421 Durie Avenue) and Mac Bain Farm respectively;
- 7.) Lions Club International is hosting upcoming fundraiser event in form of rubber duck contest to held at waterway located in Memorial Park (several Board members agreed to make monetary contribution);
- 8.) Improvement Commission is hosting upcoming youth concert at Closter Public Library;
- 9.) Governing Body recently introduced proposed 2023 municipal budget;
- 10.) Mayor Glidden's Committee for the Arts is contemplating establishment of flower garden;
- 11.) Mr. Steinhagen will review Board's dormant draft for ordinance amendment mandating underground electric utility service for new construction projects;
- 12.) Mr. Steinhagen will review relevant sections of Borough Code regarding which construction projects require new curb and sidewalk installation and draft clarifications for determining factors;

Mr. Wong briefed the Board on the following:

- 1.) Commission is spearheading participation in nation-wide campaign (No Mow May) whereby property owners forgo lawn mowing for 1 month, resulting in dandelions, etc., to assist hibernating bees and other insects with pollination;
- 2.) Commission will hold its Annual Cleanup Day on May 6th whereby volunteers collect garbage throughout Borough and situate it into pile on front lawn of Borough Hall to raise public awareness;

MISCELLANEOUS

A motion was made by Vice Chairman Paltos and seconded by Mr. Di Dio to cancel the Board's May 3, 2023 Work Session due to a lack of caseload. The motion passed by acclamation.

ADJOURNMENT

8:42pm

