

Planning Board

September 28, 2023

Meeting
Minutes



THESE PROCEEDINGS WERE HELD VIRTUALLY

CALL TO ORDER

7:30pm

OATH OF OFFICE

Alternate

Jaepil Chung- Appointed as #2 (Existing 2-Year Term Expiring December 31, 2023);

ATTENDANCE

Present

David Barad, MD- Class IV/Chairman
Tsun-Yam Tam- Class II/Borough Historian
Victoria Amitai- Class III/Councilperson/Council Liaison
Robert Di Dio- Class IV/Full Member
Conway Wong- Class IV/Full Member/Environmental Commission Liaison
Avia Blum- Class IV/Alternate #1
Jaepil Chung - Class IV/Alternate #2
Charles Rabolli, Esq.- Board Attorney (in lieu of Daniel Steinhagen, Esq.)
Joseph Dunn, PE- Board Engineer (in lieu of Nicholas De Nicola, PE)
Paul Demarest- Board Coordinator/Secretary

Absent

Dean Paltos- Class IV/Vice Chairman
John Glidden- Class I/Mayor
Ansar Batool- Class IV/Full Member
Angela Ferullo- Class IV/Full Member

CORRESPONDENCE

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



OPEN TO PUBLIC

n/a;

MINUTES

A motion was made by Mr. Tam and seconded by Councilwoman Amitai to approve the minutes for the August 31, 2023 Meeting. The motion passed (4-0-0):

Yes- Wong; Amitai; Tam; Barad;

No- n/a;

Abstain- n/a;

A motion was made by Mr. Di Dio and seconded by Mr. Tam to approve the minutes for the September 6, 2023 Work Session. The motion passed (5-0-0):

Yes- Blum; Wong; Di Dio; Tam; Barad;

No- n/a;

Abstain- n/a;

RESOLUTIONS

n/a;

CASELOAD**#1 CASE P-2023-01**

APPLICANT:	DEEPAK & MEENAKSHI KHANNA
SUBJECT PROPERTY:	614 CLOSTER DOCK ROAD
BLOCK/LOT:	2404/17
ZONING DISTRICT:	1 (RESIDENTIAL A)
REPRESENTATION:	DONNA VELLEKAMP, ESQ.
REAL ESTATE TAX:	CURRENT THRU 2023/3 RD QUARTER
AFFIDAVIT OF SERVICE:	SEPTEMBER 16, 2023
AFFIDAVIT OF PUBLICATION:	SEPTEMBER 17, 2023

Synopsis

The applicant is seeking Major Soil Movement Approval for the construction of a new 1-family house, swimming pool (in-ground with spa) and associated appurtenances; the application was received February 17, 2023 and scheduled for the March 1, 2023 Work Session; in order for the applicant to address the Board Engineer's extensive review comments, the case was postponed to the March 30, 2023 Work Session; due to the applicant traveling abroad, the case was postponed to the May 3, 2023 Work Session and, again, to the June 7, 2023 Work Session; being the applicant intends to retain a different engineer, the case was postponed to the July 5, 2023 Work Session and, again, to the August 2, 2023 Work Session, at which time, it was deemed incomplete; pending the Board's receipt of requested items, the application was rescheduled for the September 6, 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 **September 28, 2023 Meeting**.

Relief Sought

1.) Soil Movement (<250 cy permitted/570 cy provided);

Witnesses

1.) Michael Hubschman, PE, 263(A) South Washington Avenue, Bergenfield, New Jersey;



Exhibits

A-1: pre-filed site plan prepared by Witness #1, dated July 13, 2023 and last revised September 11, 2023;

Prior Completeness Review Requests

- 1.) address all items in letter prepared by Board Engineer and dated July 19, 2023;
- 2.) provide soil analysis and percolation test;
- 3.) provide tree removal permit application, likely involving 15 to 17 trees due to both retaining wall redesign from singular to terraced and proposed driveway, along with proposed mitigation plan and report prepared by Borough Tree Expert;
- 4.) provide itemization/schematic of proposed floor area ratio (FAR) calculation to determine whether subterranean level of house is considered cellar or basement and revise site plan accordingly;
- 5.) provide architectural, specifically conceptual floor plan and elevation pages, to further assist in verifying proposed FAR calculation;
- 6.) demonstrate existing/proposed gutter flow along curb at thoroughfare will not adversely-impact adjacent/right-facing lot (604 Closter Dock Road) and revise site plan accordingly;
- 7.) provide location of sewer lateral(s) under thoroughfare and indicate if sewer ejector pump(s) are proposed on-site and revise site plan accordingly;
- 8.) consider installation of photovoltaic system given proposed flat roof;
- 9.) setback proposed swimming pool and spa minimum distance (when measured from rear face of top tier of proposed retaining wall system) equal to water depth of swimming pool or spa (whichever is deeper) multiplied by 2 and revise site plan accordingly or provide structural design calculations ensuring water load will not adversely-impact wall's stability;
- 10.) provide written summary of applicant's responses to above-mentioned New Board Request #'s 1 to 9;
- 11.) revise site plan to both indicate existing hemlocks on-site and if they are proposed for removal or to be retained;
- 12.) relocate proposed grate (manhole casting) of westernmost seepage pit to easternmost pit to alleviate concern about drainage towards adjacent/right-facing lot (604 Closter Dock Road) and revise site plan accordingly;
- 13.) provide proposed side yard (left-facing) setback for retaining wall located in front yard along easterly property line and revise site plan accordingly;
- 14.) provide testimony on Meeting date regarding date range of proposed construction;
- 15.) provide testimony on Meeting date regarding existing/proposed gutter flow along curb at thoroughfare and how potential impact on 604 Closter Dock Road will be addressed;

Prior Meeting Requests

n/a;

New Meeting Requests

n/a;

Public Questions

n/a;

Public Comments

- 1.) Corrine Corcoran, 604 Closter Dock Road, Closter, New Jersey;

Decision

A motion was made by Mr. Wong and seconded by Councilwoman Amitai to approve the application. The motion passed (6-0-0):

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

No- n/a;

Abstain- n/a;

Conditions

- 1.) ensure removal of double-trunk mulberry (12"- and 10"-diameters) located near property line shared with 604 Closter Dock Road (subject tree is not yet adorned with ribbon on-site);
- 2.) extend proposed 2'-high stone wall located along property line shared with 604 Closter Dock Road further south to contour line indicating 102 ground elevation and revise site plan accordingly;
- 3.) provide retaining wall certification to Board/Borough Engineer post-construction as it relates to proposed terraced retaining wall system (prior approval for Certificate of Occupancy being issued by Building Department);



#2 CASE P-2023-07

APPLICANT: 347 WESTWOOD, LLC
 SUBJECT PROPERTY: 19 WILSON PLACE
 BLOCK/LOT: 1906/3
 ZONING DISTRICT: 1 (RESIDENTIAL A)
 REPRESENTATION: DONNA VELLEKAMP, ESQ. (IN LIEU OF MATTHEW CAPIZZI, ESQ.)
 REAL ESTATE TAX: CURRENT THRU 2023/3RD QUARTER
 AFFIDAVIT OF SERVICE: SEPTEMBER 8, 2023
 AFFIDAVIT OF PUBLICATION: SEPTEMBER 12, 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 June 22, 2023 and scheduled for the August 2, 2023 Work Session; in order for the applicant to address the Board Engineer's extensive review comments, the case was postponed to the September 6, 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 **September 28, 2023 Meeting**.

Relief Sought

- 1.) Soil Movement (<250 cy permitted/700 cy provided);

Witnesses

- 1.) Jeffrey Egarian, PE, 271 Route 46, Suite G(208), Fairfield, New Jersey;

Exhibits

- A-1: site plan prepared by Witness #1, dated January 25, 2023 and last revised September 28, 2023;

Prior Completeness Review Requests

- 1.) provide real estate tax certification confirming no delinquency;
- 2.) submit tree removal permit application accompanied by Borough Tree Expert's report and mitigation plan;
- 3.) address all items in letter prepared by Board Engineer and dated June 27, 2023;
- 4.) provide testimony on Meeting date regarding rationale for 2nd proposed curb cut located at left-facing portion of subject property;
- 5.) provide architectural floor and elevation plans for proposed fitness room and its associated window/exterior doorway (2nd proposed curb cut results in potential for 2nd driveway and additional garage bay);
- 6.) provide testimony on Meeting date as to whether proposed house will be custom-built or speculative;
- 7.) provide testimony on Meeting date regarding proposed kitchenette to alleviate concern about potential for separate dwelling unit located in basement;
- 8.) consider shortening length of proposed rear walkway to both reduce proposed impervious coverage and allow for patio area located along perimeter of swimming pool, thereby, negating potential variance request for such in future and revise site plan accordingly;
- 9.) verify location of existing utility pole on same side of thoroughfare as subject property to determine feasibility of underground electric/telecommunication utilities and revise site plan accordingly;

Prior Meeting Requests

n/a;

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 Councilwoman Amitai to approve the application. The motion passed (6-0-0):

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

No- n/a;

Abstain- n/a;

Conditions

- 1.) provide both digital and hard copies of Exhibit A-1;
- 2.) provide underground electric/telecommunication utilities (contingent upon site conditions) and revise site plan accordingly;
- 3.) adjust bottom wall elevation of 92 for proposed terraced retaining wall system located in side (left-facing) yard given nearby contour line indicating existing ground elevation is also 92 and revise site plan accordingly;
- 4.) revise retaining wall calculations for proposed terraced retaining wall system located in side (left-facing) yard to include surcharge load on proposed 4'-high retaining wall to accommodate proposed 3'-high retaining wall situated above it;
- 5.) provide retaining wall certification to Board/Borough Engineer post-construction as it relates to both proposed terraced retaining wall system and singular retaining wall (prior approval for Certificate of Occupancy being issued by Building Department);
- 6.) relocate proposed swimming pool equipment given its proximity to side yard (right-facing) property line or provide privacy screen in alternative and revised site plan accordingly;

#3 CASE P-2023-10

APPLICANT:	ROBERT KASPEREK
SUBJECT PROPERTY:	408 KNICKERBOCKER ROAD
BLOCK/LOT:	612/12
ZONING DISTRICT:	2 (RESIDENTIAL B)
REPRESENTATION:	DONNA VELLEKAMP, ESQ.
REAL ESTATE TAX:	CURRENT THRU 2023/3 RD QUARTER
AFFIDAVIT OF SERVICE:	SEPTEMBER 14, 2023
AFFIDAVIT OF PUBLICATION:	SEPTEMBER 17, 2023

Synopsis

The applicant is seeking Major Soil Movement Approval for the construction of a new 1-family house and associated appurtenances; the application was received August 21, 2023 and scheduled for the September 6, 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 **September 28, 2023 Meeting**.

Relief Sought

- 1.) Soil Movement (<250 cy permitted/445 cy provided);

Witnesses

- 1.) David Fantina, PE, 15 Sunset Drive, Bernardsville, New Jersey;

Exhibits

A-1: pre-filed site plan prepared by Witness #1, dated May 11, 2023 and last revised September 8, 2023;

Prior Completeness Review Requests

- 1.) address all items in letter prepared by Board Engineer and dated August 29, 2023;
- 2.) obtain Borough Tree Expert's report and provide mitigation plan regarding proposed tree removal;
- 3.) consider retaining several trees slated for removal in spite of applicant not reaching clear-cutting threshold as defined by Borough;
- 4.) provide testimony on Meeting date as to why underground electric/telecommunication utilities are not feasible despite existing utility pole being located on same side of thoroughfare as subject property;
- 5.) consider reducing proposed topographical slope of subject property towards adjacent/westerly lot (107 Oak Street) so not to increase storm water run-off it receives;

Prior Meeting Requests



n/a;

New Meeting Requests

n/a;

Public Questions

- 1.) Eugene Agresta, 395 Knickerbocker Road, Closter, New Jersey;
- 2.) Viosa Erbeli-Muriqui, 414 Knickerbocker Road, Closter, New Jersey;

Public Comments

n/a;

Decision

A motion was made by Councilwoman Amitai and seconded by Mr. Di Dio to approve the application. The motion passed (6-0-0):

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

No- n/a;

Abstain- n/a;

Conditions

- 1.) install (2) 500-gallon seepage pits with solid covers instead of (1) 1,000 gallon seepage pit with slotted grate and revise site plan accordingly;
- 2.) utilize proposed wheel blanket located on Knickerbocker Road until demolition is complete and immediately transition to utilizing proposed driveway located on Oak Street for remainder of project to alleviate debris and traffic concerns impacting Knickerbocker Road;
- 3.) provide underground electric/telecommunication utilities and revise site plan accordingly;
- 4.) obtain Borough Tree Expert's report and provide mitigation plan regarding proposed tree removal;
- 5.) revise both site plan and soil movement calculations to provide for balanced site (no import of fill) and requisite downspout overflow devices associated with gutters and roof leaders;

LIAISON REPORTS

Councilwoman Amitai briefed the Board on the following:

- 1.) Borough officials will meet with 6 prospective developers, who submitted bids to convert former Village Middle School (511 Durie Avenue) to 35-unit affordable housing complex as per Borough's court-approved settlement with fair housing advocate (Fair Share Housing Center), in early October;
- 2.) Recreation Commission is hosting upcoming cricket event in anticipation of 2024 Summer Olympics;
- 3.) ongoing musical series sponsored by Mayor Glidden's Committee for the Arts continues at Closter Plaza establishment(s);
- 4.) Borough will host its next Joint Meeting, during which Planning Board gathers with Governing Body, Zoning Board of Adjustment, Historic Preservation Commission, Improvement Commission, Shade Tree Commission and Environmental Commission to discuss land use matters and brainstorm how to improve upon Borough's existing ordinances and enforcement agencies without taking formal action, in early 2024;

Mr. Wong briefed the Board on the following:

- 1.) Commission's new website (www.sustainablecloster.org) is live;

MISCELLANEOUS

To allow for additional time to review, the Board further delayed discussing and endorsing the amended Board application packet as prepared by Mr. Demarest, to the October 4, 2023 Work Session; it did, however, authorize for the proposed escrow deposit schedules for both the Board Attorney and Board Engineer to be forwarded to the Governing Body's Ordinance Committee for consideration.



In light of both Mr. Steinhagen and Mr. De Nicola's absence, Councilwoman Amitai requested that her intended discussion on the wording of the revised draft of the Board's proposal amending Chapter 200 of the Borough Code to require the installation of underground electric and telecommunication utility services for certain 1- and 2-family house projects, be tabled until the October 4, 2023 Work Session.

At Ms. Blum's request, Councilwoman Amitai stated she would inquire with the Police Department about the possibility of installing 2 additional stop signs facing west at the notoriously-dangerous intersection of Closter Dock Road and High Street which remains a problem in spite of both existing flashing traffic light signals and 2 flashing stop signs facing east; Mr. Demarest confirmed said portion of Closter Dock Road is a county thoroughfare.

In response to Mr. Demarest, Chairman Barad suggested the vacancies on both the Board's Ordinance, Planning and Zoning Review and Master Plan Implementation Standing Subcommittees, both of which were held by former Alternate #2, Zachary Messinger, be addressed in the coming months to determine if and who should fill them.

ADJOURNMENT

9:31pm

