

Planning Board

September 6, 2023
Work Session
Minutes



THESE PROCEEDINGS WERE HELD VIRTUALLY

CALL TO ORDER

7:33pm

ATTENDANCE

Present

David Barad, MD- Class IV/Chairman
Tsun-Yam Tam- Class II/Borough Historian
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
Zachary Messinger- Class IV/Alternate #2
Charles Rabolli, Esq.- Board Attorney (in lieu of Daniel Steinhagen, Esq.)
Nicholas De Nicola, PE- Board Engineer
Paul Demarest- Board Coordinator/Secretary

Absent

Dean Pialtos- Class IV/Vice Chairman
John Glidden- Class I/Mayor
Victoria Amitai- Class III/Councilperson/Council Liaison

CORRESPONDENCE

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

OPEN TO PUBLIC

n/a;



MINUTES

Mr. Demarest informed that the minutes for the August 31, 2023 Meeting were not yet finalized, and a Board vote to approve them was postponed to the September 28, 2023 Meeting.

RESOLUTIONS

A motion was made by Mr. Tam and seconded by Ms. Ferullo to memorialize the Resolution for Case P-2023-09 (340 Homans Avenue/Closter, New Jersey Board of Education). The motion passed (4-0-0):

Yes- Wong; Ferullo; Tam; Barad;

No- n/a;

Abstain- n/a;

COMPLETENESS REVIEW

#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 2023/1 ST QUARTER
AFFIDAVIT OF SERVICE:	N/A
AFFIDAVIT OF PUBLICATION:	N/A

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**.

Prior Board 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's 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;



New Board Requests

- 1.) revise site plan to both indicate existing hemlocks on-site and if they are proposed for removal or to be retained;
- 2.) 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;
- 3.) provide proposed side yard (left-facing) setback for retaining wall located in front yard along easterly property line and revise site plan accordingly;
- 4.) provide testimony on Meeting date regarding date range of proposed construction;
- 5.) 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;

Decision

A motion was made by Mr. Messinger and seconded by Ms. Ferullo to deem the application complete and schedule it for the September 28, 2023 Meeting pending the receipt of requested items and public noticing requirements. The motion passed (8-0-0):

Yes- Messinger; Blum; Wong; Ferullo; Batool; Di Dio; Tam; Barad;

No- n/a;

Abstain- n/a;

#2 CASE P-2023-07

APPLICANT:	347 WESTWOOD, LLC
SUBJECT PROPERTY:	19 WILSON PLACE
BLOCK/LOT:	1906/3
ZONING DISTRICT:	1 (RESIDENTIAL A)
REPRESENTATION:	MATTHEW CAPIZZI, ESQ.
REAL ESTATE TAX:	NOT RECEIVED
AFFIDAVIT OF SERVICE:	N/A
AFFIDAVIT OF PUBLICATION:	N/A

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**.

Prior Board Requests

n/a;

New Board 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;

Decision

A motion was made by Mr. Messinger and seconded by Mr. Wong to deem the application complete and schedule it for the September 28, 2023 Meeting pending the receipt of requested items and public noticing requirements. The motion passed (7-0-0):



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

No- n/a;

Abstain- n/a;

Recusal- Batool;

#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:	N/A
AFFIDAVIT OF PUBLICATION:	N/A

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**.

Prior Board Requests

n/a;

New Board Requests

- 1.) address all items in letter prepared by Board Engineer and dated August 29, 2023;
- 2.) obtain Borough Tree Expert's report and 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;

Decision

A motion was made by Mr. Di Dio and seconded by Mr. Messinger to deem the application complete and schedule it for the September 28, 2023 Meeting pending the receipt of requested items and public noticing requirements. The motion passed (8-0-0):

Yes- Messinger; Blum; Wong; Ferullo; Batool; Di Dio; Tam; Barad;

No- n/a;

Abstain- n/a;

LIAISON REPORTS

n/a;

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, which includes revised escrow deposit schedules for both the Board Attorney and Board Engineer, to the September 28, 2023 Meeting.

A motion was made by Ms. Batool and seconded by Mr. Messinger to endorse the Board's proposal amending Chapter 200 of the Borough Code to require the installation of underground electric and telecommunication utility services for 1- and 2-family house projects, both those involving new construction as well as additions/reconstruction whereby the existing roof area and/or floor area ratio (FAR) is increased by one-third or more, and request Councilwoman Amitai to

refer said document to the Governing Body for its consideration contingent upon the draft being corrected to state the threshold as “33.33% (ONE-THIRD) or more” not “more than 33%”. The motion passed (8-0-0):

Yes- Messinger; Blum; Wong; Ferullo; Batool; Di Dio; Tam; Barad;

No- n/a;

Abstain- n/a;

ADJOURNMENT

9:05pm

