

**BOROUGH OF OLD TAPPAN**  
**PLANNING BOARD REORGANIZATION & REGULAR MEETING**  
**January 8, 2020**  
**MINUTES**  
**Meeting commenced at 7:08 p.m.**

In compliance with the Open Public Meeting Law, notification of this meeting has been sent to  
our official newspapers and other  
Publications circulated in the Borough of Old Tappan,  
And notice posted on the bulletin board at Borough Hall  
As well as on the ([www.oldtappan.net](http://www.oldtappan.net)) web site.

It was duly noted that Fire Exits were located at the Main Entrance to the  
Council Chambers and in the rear of the Council Chambers.

Roll Call for ReOrganization Meeting:

	Present	Absent
Chair, Weidmann	X	
Vice Chair, Mamary	X	
Mr. Maggio	X	
Ms. Nilsson		X
Mr. Keil	X	
Mr. Alessi	X	
Police Chief Shine	X	
Councilman Gallagher	X	
Councilman Boyce	X	
Alternate #1, Mr. Eller		X
Alternate #2, Ms. Louloudis	X	
Alternate #3, Mr. Scozzafava	X	
Alternate #4, Empty		
Also Present:		
Diane Frohlich, Board Secretary	X	
Mr. Regan, Esq.	X	
Mr. Skrable, Borough Engineer	X	
Mr. Szabo, Borough Planner	X	

Mr. Regan swears in our reappointed Board Members:

Chief Shine  
Councilman Gallagher  
Chairman Weidmann  
Councilman Boyce

**Nomination and election of the Chairman: William Weidmann**

Motion: Mr. Maggio

Second: Councilman Gallagher

	Yes	No	Abstain
Chair, Weidmann			X
Vice Chair, Mamary	X		
Mr. Maggio	X		
Ms. Nilsson			absent
Mr. Keil	X		
Mr. Alessi	X		
Police Chief Shine	X		
Councilman Gallagher	X		
Councilman Boyce	X		
Alternate #1, Mr. Eller			absent
Alternate #2, Ms. Louloudis	X		
Alternate #3, Mr. Scozzafava	X		
Alternate #4, Empty			

**Nomination and election of the Vice - Chairman: Nick Mamary**

Motion: Mr. Maggio

Second: Councilman Gallagher

	Yes	No	Abstain
Chair, Weidmann	X		
Vice Chair, Mamary			X
Mr. Maggio	X		
Ms. Nilsson			absent
Mr. Keil	X		
Mr. Alessi	X		
Police Chief Shine	X		
Councilman Gallagher	X		
Councilman Boyce	X		
Alternate #1, Mr. Eller			absent
Alternate #2, Ms. Louloudis	X		
Alternate #3, Mr. Scozzafava	X		
Alternate #4, Empty			

**Nomination and election of the Financial Secretary – Karen Nilsson**

Motion: Mr. Maggio

Second: Councilman Gallagher

	Yes	No	Abstain
Chair, Weidmann	X		
Vice Chair, Mamary	X		
Mr. Maggio	X		
Ms. Nilsson			absent
Mr. Keil	X		
Mr. Alessi	X		
Police Chief Shine	X		
Councilman Gallagher	X		
Councilman Boyce	X		
Alternate #1, Mr. Eller			absent
Alternate #2, Ms. Louloudis	X		
Alternate #3, Mr. Scozzafava	X		
Alternate #4, Empty			

Resolutions for the following Appointments:

Recording Secretary:

Diane Frohlich

Board Secretary:

Diane Frohlich

2020 Meeting Dates

Board Attorney:

Robert T. Regan, Esq.

Borough Engineer:

Thomas Skrable

Borough Planner:

John Szabo

Motion: Councilman Gallagher

Second: Mr. Keil

	Yes	No	Abstain
Chair, Weidmann	X		
Vice Chair, Mamary	X		
Mr. Maggio	X		
Ms. Nilsson			absent
Mr. Keil	X		
Mr. Alessi	X		
Police Chief Shine	X		
Councilman Gallagher	X		
Councilman Boyce	X		
Alternate #1, Mr. Eller			absent
Alternate #2, Ms. Louloudis	X		
Alternate #3, Mr. Scozzafava	X		
Alternate #4			

## **ADJOURNMENT OF REORGANIZATION MEETING**

Motion to Close Regular Meeting: Mr. Alessi

Second: Chief Shine

One voice vote, all in favor, none opposed, the motion carried.

## **OPEN REGULAR MEETING**

Motion to Open Regular Meeting: Mr. Alessi

Second: Mr. Mamary

One voice vote, all in favor, none opposed, the motion carried.

Roll Call for Regular Meeting:

	Present	Absent
Chair, Weidmann	X	
Vice Chair, Mamary	X	
Mr. Maggio	X	
Ms. Nilsson		X
Mr. Keil	X	
Mr. Alessi	X	
Police Chief Shine	X	
Councilman Gallagher	X	
Councilman Boyce	X	
Alternate #1, Mr. Eller		X
Alternate #2, Ms. Louloudis	X	
Alternate #3, Mr. Scozzafava	X	
Alternate #4, Empty		
Also Present:		
Diane Frohlich, Board Secretary	X	
Mr. Regan, Esq.	X	
Mr. Skrable, Borough Engineer	X	
Mr. Szabo, Borough Planner	X	

## **PUBLIC OPPORTUNITY TO SPEAK ON NON-AGENDA ITEMS**

Motion to open the meeting to the public – Mr. Alessi

Second – Mr. Keil

One voice vote, all in favor, none opposed, the motion carried.

No one from the public wished to speak.

Motion to Close to the Public – Mr. Alessi

Second – Mr. Keil

One voice vote, all in favor, none opposed, the motion carried.

## **ENVIRONMENTAL COMMISSION REPORT**

The Committee will be meeting on Tuesday, January 14<sup>th</sup> so Mr. Keil will have a report for us at the February meeting.

## **COUNCIL LIAISON REPORT**

Councilman Gallagher stated that the Mayor & Council ReOrganization meeting took place on Monday, January 6<sup>th</sup>. They bid farewell to Councilman Cioce after eighteen (18) years of service and welcomed

Councilman Boyce. Congratulations to Councilman Matt Nalbadian, Mayor Kramer and Councilman Jin Yhu for their reappointments.

Getting ready to go into Budget Season and have five, Thursday night sessions planned for discussion.

### **CONSTRUCTION OFFICIAL REPORT**

Report was distributed in everyone's packet. Chair Weidmann asked if anyone had any questions.

### **BOROUGH ENGINEER REPORT**

Mr. Skrable had nothing to report.

### **FINANCIAL SECRETARY REPORT**

Mr. Mamary presents the financial report:

Budget is \$ 702.50 and Escrow \$ 3,608.00

Total: \$ 4,310.50

Motion to approve: Mr. Maggio

Second: Mr. Alessi

One voice vote, all in favor, none opposed, approval.

### **MINUTES**

Approval of December 11, 2019 Regular Meeting

Motion to adopt – Mr. Alessi

Second – Chief Shine

One voice vote all in favor, none opposed, the minutes are approved.

### **NEW BUSINESS**

None

### **OLD BUSINESS**

None

### **COMMUNICATIONS**

None

### **RESOLUTIONS AND ORDINANCES**

None

### **APPLICATIONS**

ADI Properties, LLC

30 Autumn Lane

Block 1104, Lot 11

Mr. Capizzi is present for this application. He states that revised plans were sent to the Board, dated 12/13/2019. He refers back to the approval from NJDEP for the footprint for the structure; they are before the Board strictly for a front-yard setback variance. They made some changes according to the comments from the Board and the neighboring homes.

Mr. Scott Lurie is sworn in by Mr. Regan. He has two exhibits, A5 (the 12/13/19 Plan) and A6 – A6 being a colored, front elevation to show the Board how they plan on finishing the façade.

By making some changes, they were able to reduce the front yard setback to 28 feet but keep the footprint the same. Mr. Lurie was also able to reduce the overall height by lowering the interior ceilings.

<b>GENERAL ZONING</b>	<b>REQUIREMENT</b>	<b>PROVIDED</b>	<b>VARIANCE REQUIRED</b>
Minimum Lot Area	25,000 sf	49,721 sf	No
Minimum Lot Width	125 ft	240 ft	No
Minimum Lot Depth	175 ft	310 ft	No
Minimum Front Yard	40 ft	28 ft (*)	Yes
Minimum Rear Yard	40 ft	189.66 ft	No
Minimum Side Yard	10 ft	54.45 ft	No
Min. Total Side Yard	35 ft	148.48 ft	No
Max. Improved Coverage	20%	4.07%	No
Max. Improved Lot Coverage	40%	5.46%	No
Maximum FAR	0.22	0.07	No
Max. Building Height	2.5 stories	2.5 stories	No
Max. Building Height	35 ft	33.96 ft	No

(\*) Variance Needed

Motion to Open the Meeting to the Public: Mr. Alessi - strictly for questions to the Architect

Second: Mr. Mamary

Mr. Patrick Gambutti, 16 Autumn Lane had a question regarding the height of the cantilever in the back; which is two (2) feet.

Motion to Close to the Public: Mr. Alessi

Second: Mr. Keil

A7 is the revised engineering plan from Hubschman Engineering with a date of 12/19/19. Mr. Hubschman goes over the changes in engineering since the last meeting. Five (5) shade trees will be added to the front of the home, the driveway is now permeable and they have moved the ac units to the rear yard.

They will be removing nineteen (19) trees in order to do the construction and adding a wheel-wash unit in order to keep the neighborhood as clean as possible during the construction.

Mr. Skrable makes some comments regarding standard conditions for sidewalk and sewer connection fee(s) to be included in the Resolution and also the addition of the shade trees will have to be approved by the Shade Tree Commission.

Chair Weidmann requests that the front sidewalk also be permeable pavers, similar to the driveway which Mr. Capizzi agrees to.

Mr. Mamary asks Mr. Szabo for his input as far as the master plan is concerned for the proposed structure. Mr. Szabo summarizes that first off, the NJDEP has “primary jurisdiction” when it comes to this application. Taking into effect that only one variance is necessary to keep the property in line with the NJDEP goal; they are not “out of the scope of what should be done on that site.” Mr. Regan concurs with Mr. Szabo’s comments.

Mr. Szabo again refers back to the C1 hardship criteria, “a severely constrained parcel.” Mr. Regan agrees that it is a “classic C1 application.” He also states that a denial will cause consequences to the municipality – that they are denying the property owner any beneficial use of the property.

Chairman Weidmann wants to confirm that construction fencing will be in place prior to construction commencing. He would like that to be a condition of the Resolution also.

Motion to Open to the Public – questions to the Engineer Only: Mr. Alessi  
Second: Councilman Gallagher

Evelyn Moy of 23 Autumn Lane – has a question regarding the smart vents . . . and also has some concerns on the overall welfare of the home considering the amount of water that surrounds it. Will there be mold???? Mr. Hubschman and Mr. Capizzi try to alleviate her concerns.

To note, the issue of mold is really not a concern of the Board in making a decision on this application.

She was also concerned with Public Safety; i.e. emergency vehicles making it to her home God forbid of an emergency. Chief Shine stated that he would make sure that that is something that is monitored.

John Ranu, 19 Autumn Lane; questions if the applicant needs to have flood insurance? Chair Weidmann and Mr. Regan both state that this is not a “concern” of the Board. Mr. Ranu is frustrated over this project . . . Mr. Mamary states that Mr. Rani should have a “problem” with the NJDEP for giving the applicant the “okay” to build the house in the first place.

Motion to Close to the Public – questions to the Engineer Only: Mr. Alessi  
Second: Mr. Maggio

Chair Weidmann asks Mr. Capizzi for his summation . . . Mr. Capizzi replies that he has none and that “all has been said.”



Motion to ***DISAPPROVE*** the Application: Chair Weidmann Second: Mr. Alessi

	Yes	No	Abstain
Chair, Weidmann	X		
Vice Chair, Mamary		X	
Mr. Maggio		X	
Ms. Nilsson			absent
Mr. Keil			X
Mr. Alessi	X		
Police Chief Shine		X	
Councilman Gallagher		X	
Councilman Boyce		X	
Alternate #1, Mr. Eller			absent
Alternate #2, Ms. Louloudis		X	
Alternate #3, Mr. Scozzafava	X		
Alternate #4, Empty			

Motion to ***APPROVE*** the application: Councilman Gallagher Second: Mr. Maggio

	Yes	No	Abstain
Chair, Weidmann		X	
Vice Chair, Mamary	X		
Mr. Maggio	X		
Ms. Nilsson			absent
Mr. Keil			X
Mr. Alessi		X	
Police Chief Shine	X		
Councilman Gallagher	X		
Councilman Boyce	X		
Alternate #1, Mr. Eller			absent
Alternate #2, Ms. Louloudis	X		
Alternate #3, Mr. Scozzafava		X	
Alternate #4			

200 OTR, LLC  
200 Old Tappan Road  
Block 1606, Lot 7

Ms. Nicole Magdziak, Attorney for the applicant started their testimony at approximately 8:31 p.m. There was a stenographer present, Ms. Donna Lynn Arnold of 315 Rivervale Road, Rivervale, NJ.  
Transcript Attached.

## **PUBLIC OPPORTUNITY TO SPEAK ON NON-AGENDA ITEMS**

Motion to open the meeting to the public: Mr. Alessi

Second: Mr. Maggio

One voice vote, all in favor, none opposed, the motion carried.

Motion to close the meeting to the public: Mr. Alessi

Second: Councilman Gallagher

One voice vote, all in favor, none opposed, the motion carried.

## **ADJOURNMENT**

Motion to Close Regular Meeting: Councilman Gallagher

Second: Mr. Maggio

One voice vote, all in favor, none opposed, the motion carried.