

**MINUTES OF THE BOROUGH OF NORTH CALDWELL PLANNING BOARD  
REGULAR MEETING HELD OCTOBER 15, 2018**

Chairman Brower called the meeting to order at 8:00 p.m., lead the salute of the flag and requested a roll call:

**ROLL CALL**

**PRESENT:** Chairman Brower, Mr. Campbell, Mr. Rees, Dr. Spinelli, Ms. Nathans, Mr. Fishbone, Mr. Zichelli, Mr. Barba

**ABSENT:** Mayor Alessi

**Others present:** Mr. Dusinberre, Esq., Attorney

**ADEQUATE NOTICE** of this meeting of the Borough of North Caldwell Planning Board was given as follows: Notice was sent to The Progress and the Star Ledger and Notice was filed with the office of the Borough Clerk.

**APPROVAL OF MINUTES**

A motion was made by Ms. Nathans to approve the minutes of the October 1, 2018 Conference Meeting of the North Caldwell Planning Board and a second made by Mr. Campbell.

Upon roll call:

**AYES:** Mr. Barba, Mr. Campbell, Chairman Brower, Mr. Rees, Ms. Nathans, Dr. Spinelli, Mr. Fishbone, Mr. Zichelli

**APPLICATIONS**

**APPLICATION FOR MINOR SUBDIVISION EXTENSION OF APPROVAL**

Mr. Vincent Lapone  
77 Grandview Avenue  
North Caldwell, NJ 07006  
Block 1900, Lot 9

Mr. Robert Gaccione, Esq. of the firm Gaccione Pomaco, Belleville, New Jersey entered an appearance as Counsel on behalf of the applicant, Mr. Vincent Lapone.

Mr. Gaccione provided a brief history of the application and noted it was granted Planning Board approval on February 12, 2018. He further advised that due to certain factors, the existing structure on the subject property could not be demolished in a timely manner as required by the Planning Board approval. These delays resulted in an inability to perfect the approved subdivision within the required 190 days. Mr. Gaccione therefore requested a 90 day extension of the Planning Board approval.

Mr. Chuck Stewart, P.E. of G.C. Stewart Associates, Inc. 204 Eagle Rock Avenue, Roseland New Jersey was presented as the sole witness to be heard as a professional engineer. Mr. Stewart has previously been accepted by the Planning Board as a professional witness and Mr. Gaccione requested he be accepted as a professional witness for this application based on past acceptance. The Board agreed. Mr. Stewart was sworn in by Mr. Dusinberre.

Mr. Stewart identified himself as the engineer that presented the original application to the Planning Board. Mr. Stewart advised that due to certain factors such as issues with PSE&G and the Hudson Essex Passaic Soil Conservation Service, an underground storage tank and wet weather, the existing structure on the subject property could not be demolished in a timely manner as required by the Planning Board approval.

Chairman Brower invited members of the Board and staff to question the witness.

Mr. Dusinberre asked if the Hudson Essex Passaic Soil Conservation Service approval took longer than usual. Mr. Stewart responded in the affirmative.

Ms. Nathans asked if the requested 90 day extension provided adequate cushion to complete the demolition. Mr. Gaccione responded that it does.

Mr. Barba asked if demolition work has commenced and was advised it has.

Mr. Fishbone asked if the oil tank has been removed and was advised it has been.

Ms. Nathans asked if the tank had any leaks and was advised it did not.

Mr. Fishbone made a motion to approve an extension of approval.

A second was made by Ms. Nathans.

Upon roll call:

AYES: Dr. Spinelli, Mr. Campbell, Chairman Brower, Mr. Rees, Mr. Fishbone, Ms. Nathans, Mr. Zichelli, Mr. Barba

ABSENT: Mayor Alessi

Mr. Dusinberre discussed a resolution of memorialization prepared in advance of tonight's meeting and noted changes reflecting discussions held during the hearing.

Mr. Fishbone made a motion to approve the resolution of memorialization.

A second was made by Mr. Campbell.

Upon roll call:

AYES: Dr. Spinelli, Mr. Campbell, Chairman Brower, Mr. Rees, Mr. Fishbone, Ms. Nathans, Mr. Zichelli, Mr. Barba

ABSENT: Mayor Alessi

#### **CITIZENS TO BE HEARD**

Chairman Brower opened the meeting for citizens to be heard. There were no comments from the public.

#### **ADJOURNMENT**

Chairman Brower requested a motion to adjourn at 8:15 pm. A motion was made by Mr. Campbell and seconded by Dr. Spinelli. All members voted in the affirmative.



Frank Zichelli  
Planning Board Secretary