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The 2<sup>nd</sup> floor has a central corridor and 4 apartment units of about 850 sq.ft. each. Each apartment will have 2 small bedrooms, a living/dining room, a bathroom and a kitchen. One balcony is provided for all units which is 5' in depth. The balconies encroaches into the front yard. The front yard variance is 10' but would be only 5' without the balconies.

Mr. Sekas asked Mr. Lachanaris to describe the aesthetic details of the building that were designed to make it blend with the residential neighbourhood.

Mr. Lachanaris pointed out the front elevation on Broadway Ave., with stucco finish, a slope roof with asphalt shingles. The attempt is to make it look like a residential building. To the right is an old house, and next to that is an office building. The height of the building will not exceed 28'. The rear of the building will also look residential. The office is small, 1400 sq.ft. that will hold at most 14 people at 100 sq.ft. per person.

Mr. Moldt said that he could not see the height of the building on the plan, and he could not see the pitch of the roof on the elevations.

Mr. Sekas said that the engineer will testify as to the height of the building, but it does not exceed 28'.

Mr. Lachanaris said that the pitch was 4 on 12, and the maximum ceiling height was 8'6".

Mr. Amicucci said the building was designed from the street level, and fill must be removed to bring it to street level.

Mr. Sekas agreed, and said that the applicant will comply with all of Azzolina / Feury recommendations and that of the building department.

Mr. Lachanaris said that the building is 1.5' higher than the base of the curb.

Mr. Sekas said that the owner of the lot will grade the lot to street level- that is part of the contract. We will be happy to make that stipulation part of the application.

Mr. Merzel asked what is the depth of the balcony.

Mr. Lachanaris said 5'. The front yard is 20' to the building.

Mr. Sekas said that the balcony gave the building a residential look and afforded the occupants some outdoor space.

Mr. Gangi asked what is the protrusion on the East side.

Mr. Lachanaris the protrusion gives the bedrooms on the 2<sup>nd</sup> floor sufficient size.

Mr. Sekas said that, for the record, there is a 10' right of way. Did you measure from the street or from the right of way.

Mr. Lachanaris said from the right of way.

Mr. Sekas said that if he had measured from the curb he would not have needed a variance. From the curb to the building the distance is 30', or 25' from the balcony.

Mr. Amicucci asked if there was parking in front of the building.

Mr. Lachanaris said yes. One handicap parking space in front and 2 spaces facing.

Mr. Amicucci asked if the handicap parking could be moved to the side.

Mr. Lachanaris said if moved, that would eliminate two parking spaces.

Mr. Moldt said that he was uncomfortable with front parking, it is dangerous for a handicapped person. Also will create a sight barrier for cars coming down the street.

Mr. Sekas said that if the board was so inclined they would be happy to move the handicap parking space, but that would create a parking variance.

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Mr. Moldt said that they could consider this when they are told how the parking requirements were determined.

Mr. Moldt asked if there was no 2' bump out on the east side for the bedrooms, would the zoning requirements be met.

Mr. Lachanaris said yes it would.

Mr. Gangi asked why the angled parking.

Mr. Sekas said that the engineer would explain the reason.

Mr. Moldt asked if the sidewalk to the handicap entrance was at grade.

Mr. Lachanaris said that it was.

Mr. Moldt asked if the sidewalk was flush with the parking lot.

Mr. Lachanaris said it was at a slight elevation.

Mr. Moldt asked what was the height of the balcony over the entrance.

Mr. Lachanaris said 9.5' from the sidewalk.

Mr. Amicucci noted that the bedrooms protrude 2' out.

Mr. Lachanaris said that they did. The units are for persons working in NYC and need only one car.

Mr. Amicucci and Mr. Moldt said that there was no guarantee.

Mr. Merzel asked about the Impervious.

Mr. Sekas referred the question to the engineer.

Mr. Sekas said that they wanted the board to hear the architect first. They are willing to adapt the plan to what the board feels will be best suited for the town. The apartments were designed for single persons or commuters not families - the 2<sup>nd</sup> bedroom can be used as a study.

Mr. Gangi noted that apartment C has no kitchen.

Mr. Sekas said that this was a typo.

Mr. Gangi said that there was only one laundry for 4 apartments.

Mr. Merzel asked how the 17 parking spaces were allocated.

Mr. Lachanaris said 8 spaces for the upstairs apartments, 2 for the downstairs apartments and 7 for the office.

Mr. Sekas introduced Harry Tuvel of Hubschman Engineering as engineer for the project.

Mr. Tuvel was sworn in and gave his credentials.

Mr. Tuvel presented a colorized version of the site plan- exhibit A-2.

Mr. Tuvel said that the property on the SE corner of Broadway and Milton is about 12,000 sq.ft. The building is Mixed Use and fronts on Broadway. The 1<sup>st</sup> floor has an office of 1400 sq.ft. plus a studio apartment. The 2<sup>nd</sup> floor has four 2 bedroom units. The site will be accessed from Broadway and exits on Milton. There are 17 parking spaces. The handicapped parking spot can be moved. The parking usage is exclusive. During the day it is used by the office workers, at night by the apartment residents. Because of the nature of a mixed use, the parking requirements do not overlap. The parking, in his experience, is more than adequate. In the parking calculation there are 7.2 spaces for the office portion, and 9.8 spaces for the residential. The relocation of the Handicap space would create a variance, but would still be a practical solution. It would be moved to the Broadway side because that would be closed to the studio unit.

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The studio unit is affordable housing and will help with the COAH requirement. The unit is ADA compliant including the bathroom.

Angled parking is necessary because of the configuration of the site requiring one way circulation. Angled parking allows for a narrower driveway.

The grade of the site is centrally flat. Sheet 2 provides a detailed grading plan. The elevation is 44 and there may have to be a slight ramp for the handicapped parking. The first or second space on Broadway would be the best place for the handicapped parking.

Impervious coverage is not a requirement. Building Coverage of 32% requirement has been met, there is no longer a variance required.

The Milton side is a 2<sup>nd</sup> front yard. There is no entrance on Milton.

Sheet 4 shows landscape plan- 13 trees will be planted and 40 shrubs.

The measurements were from the right of way and not the curb- the front yard will look like 25' Bulk variances are subsumed by Use variances

There is one side yard. There is a 15' requirement and we have 13' measured to the bump out on the 2<sup>nd</sup> floor.

The building height was measured according to the ordinance requirement. The lot is flat- 44.6' to 43.5' - Sheet 5 show the topology the majority of the spot elevations are around 44 plus a fraction. The site will be graded.

Mr. Sekas said they would now address the Use variance.

Mr. Tuvel said that under positive criteria the proposed development provides a benefit to the community. The mixed use is compatible with the surrounding neighborhood. There is retail nearby. The studio apartment is COAH certifiable. The residential units are close to transit, shopping and potential employment. The proposal makes productive use of a vacant parcel that has been vacant for many years. It promotes public health, safety and general welfare. The design provides adequate light, air and open space, and promotes an appropriate population density, and desirable visual environment.

Under the negative criteria, the variance can be granted without any detriment to the public good, and does not impair the intent and purpose of the Zoning plan. Though the Master Plan does not endorse residential in this zone, the Master Plan does encourage affordable housing units. The Cresskill Fair Share plan submitted to COAH does include the potential for redevelopment of the site immediately adjacent to us across the street on Broadway for affordable dwelling units.

From the perspective of the Master Plan this site can be developed as proposed.

Mr. Amicucci asked what is the elevation of the property next door on Milton St.

Mr. Tuvel said slightly lower- about 1 foot- very close in grade to our property.

Mr. Sekas said that it is a 4 family house.

Mr. Tuvel said that west of Milton is Commercial zone. The P&L zone continues across the street on Broadway.

Mr. Amicucci asked what is the zone for the DiReese property.

Mr. Tuvel thinks that it is in a Commercial zone (corner of Piermont and Broadway)

Mr. Kassis said that on page 5 a drainage ditch is shown. It appears to be an inlet but it doesn't show on the plan. Clearly the drainage ditch serves some function. He expressed concern about adequate drainage.

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Mr. Tuvel said that they had addressed that in the design. They pick up the drainage ditch at the property line and through a system of pipes and seepage pits into the existing storm drainage system on Broadway. A drainage report, as well as sheet 2, has been prepared, and submitted to your Engineer for review.

Mr. Moldt said he wants to return to the height issue. On page 1, on the height calculation, the ridge is at 72.3', the average grade in front is 44.3', and the finished floor is listed at 44.3'. The slope at 4 / 12, which is the lowest possible, you will be skirting with the height as a violation. I am not convinced that the height will be at or less than 28', if the 1<sup>st</sup> floor level is 44.3'.

Mr. Sekas said these grades will change because these are existing grades. These grades will be lower.

Mr. Moldt said that he going by the proposed elevation.

Mr. Tuvel said that the average grade is 44.3', because the site is relatively flat, a case like this is not like a site with a slop. We are confident that the height will not exceed 28'.

Mr. Moldt asked if the average grade around the building will be the same as the finished floor.

Mr. Tuvel said yes that what it calculates to be.

Mr. Moldt said that will cause some problems with flooring inside the building. You always want some raise in elevation.

Mr. Tuvel said that on sheet 2, the Grading plan, the elevation at the entrance is 44.2' and the finished floor elevation is 44.3'. There is a small increase. We show the grade around every corner of the building: 44.3, in the left corner, 44, in the lower right corner, 43.8' in the rear. It looks like they took the average of 5 or 6 elevations for the average.

Mr. Moldt said that you are so close to the limit that it is a concern of mine.

Mr. Tuvel and Mr. Sekas both said that it is their intent to comply with the height requirement.

Mr. Sekas said that there is no basement.

Mr. Moldt said that he is concerned with the parking. The structure over hang is encroaching into 2 of the spaces. May cause a problem with moving the handicap space. The parking space is generated from the 200 sq.ft per person.

Mr. Tuvel said that there is no pressure on the parking spaces because of the exclusive usage. Sixteen spaces will be plenty.

Mr. Sekas said that they will be happy to work with the town engineer and the Building department. We will get rid of the front variances by taking off the balconies, even though that provides the residential look to the building.

Mr. Paul Azzolina, Borough Engineer, was sworn in.

Mr. Azzolina testified that at the request of the board he had prepared a report, dated April 30, 2009, on the Site Plan Review for the application being considered. The report is attached to the minutes as an appendix (I).

Mr. Azzolina summarized the report and his recommendations:

- II. 3. Removal of the balconies
- III. 4. d iii/iv Move the handicapped parking to Space #16 and provide a striped crosswalk
- III. 6. Increase the proposed fence height along the northerly property line.
- IV. 4. Inclusion of an internal vestibule area minimum 4'.

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- IV. 3. a i      Site Plan revised to show waiver relief.
- IV. 5.            The Site Plan and Architectural Drawings be revised to specifically state which units are affordable.
- V. 1.            Site Ingress and Egress reconfiguration.
- V. 2. d          Parking assignment amongst residents and office.
- V. 3. a. and b.   Vehicular Traffic Circulation
- V. 3. c, d, e, f   Pedestrian Circulation
- V. 4.            Emergency Access
- V. 5.            Stormwater Management and Report
- V. 6.            Site Lighting
- V. 7.            Landscaping
- V. 8.            Solid Waste Disposal and Recycling Facilities
- V. 9.            Environmental Constraints
- V. 10.          Signage
- V. 11.          Central Mailbox Facility
- VI              Performance Guarantees & Developer's Agreement
- VII             Applications to Other Agencies.
- Appendix "A"    Required Plan Revisions/Supplements

Mr. Amicucci said for the parking you are saying that they have only 20' to back out.

Mr. Azzolina said that for large vehicles is tight. There are 3 options as per V. 3. b.

Mr. Sekas said that the applicant will comply with all of the Engineers requirements / recommendations.

Mr. Michael Hakim, Planner for the Borough, was sworn in.

Mr. Hakim reviewed the variances requested:

USE (d-1)

Front Yard ( c )

Side Yard ( c )

Building Coverage ( c )

Parking in Front ( c )

Driveway Distance to Intersection

Parking Quantity

Front Yard Fence

Mr. Hakim noted that the USE variance is a D variance, and subsumes the other variances. Mr.

Mr. Hakim recommended plantings in the buffer zone in addition to the 6' fence. Also changing the angle of the parking will allow for more planting of trees and shrubs.

Mr. Hakim offered his services as landscape consultant.

Mr. Hakim said that he was basing his testimony on the memorandum dated 4/29/09, regarding the application under consideration.

The memorandum is attached to the minutes as Appendix (II).

Mr. Hakim discussed the 'Land Use Compatibility' as per the Memorandum I. which concludes:

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“Because the existing neighborhood has numerous residential and mixed uses already, and because it is Cresskill’s vision to increase the residential presence in the future; and because the need for multifamilyhousing is increasing and the need for light industrial uses is decreasing, we believe this mixed use development will prove to be quite compatible with its neighbors. Its compatibility is demonstrated by it not being an isolated land use.”

Mr. Hakim discussed the ‘Zoning Compatibility ‘ as per Memorandum II, which concludes: “The Applicant must demonstrate that the proposed use promotes the general welfare, that the location is particularly suitable for this use, and/or that the municipality or region has a particular need for this use. Much of this proof is embodied in the various positive criteria discussed above.”

Mr. Hakim discussed ‘Master Plan Consistency’ as per Memorandum III, which states: “The Master Plan does not specifically endorse residential uses within the P & L zone. It is not inconsistent with the Master Plan, however, but rather was just not contemplated in 2004. The Master Plan does encourage the production of affordable housing to meet the Borough’s State-mandated obligations, so from that standpoint it is consistent.”

Mr. Hakim stressed the value to the town of an additional affordable unit to satisfy COAH requirements.

Mr. Hakim said that the new development will provide potential customers for the retail uses to the west, and potential new man power for the business uses.

Mr. Hakim said that it will make productive use of this vacant lot which cannot be readily developed in a cost effective manner. All things considered the proposal is very reasonable.

Mr. Hakim said that as for the parking he concurs with Mr. Azzolina and Mr. Tuvel that there is a symbiotic relation between the uses and there is a benefit for the residents and the office sharing the parking space. There is a paragraph in the Cresskill code under Section 275.69 on combined parking that addresses exactly this type of situation. The applicant can call upon this coding provision.

Mr. Amicucci asked the audience if there were any questions.

Joseph Diasparra of Demarest was sworn in, He is the owner of 20 Milton Street which is next door to the Applicant’s property.

Mr. Diasparra asked that the plan be explained and that he be able to go over the architectural and engineering plans which the Applicant’s engineer did. He was particularly interested in the parking lot.

Several other members in the audience asked to see the plans.

Mr. Tuvel explained the parking.

Mr. Diasparra said that there will be a headwall drain which will back-up into his property which is lower.

Mr. Azzolina said that the specified RPC 12” pipe should be increased to a 15” pipe which would be adequate

Mr. Sekas said that the elevation on Mr. Diasparra’s property was higher.

Mr. Azzolina said that the drainage ditch will be maintained that will feed into the drainage system. There will be no negative impact to your property.

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Mr. Diasparra said there are no storm drains on the south side of Milton Street, will that be addressed.

Mr. Hubschman joined the meeting and was sworn in.

Mr. Hubschman said that they are not proposing a storm drain on Milton St because there will be no run-off from the property.

Mr. Diasparra said that there was flooding on Milton St.

Mr. Sekas said that the flooding was an existing condition and that the development will improve itthe condition.

Mr. Diasparra said that his only concern was the drainage.

Mr. Amicucci and Mr. Diasparra discussed the drainage problems in detail,

Mr. Amicucci said that in the future the town should look into it.

William Zaloi of 24 Milton Street was sworn in.

Mr. Zaloi said that he also has a drainage problem which he described.

Mr. Amicucci said once the drainage is piped the problem will be alleviated.

Mr. Zaloi said that at times the water was like a river.

Mr. Zaloi said that he thought there were too many apartments in the application.

Mr. Zaloi expressed concern how the exit on Milton will impact traffic. There is a lot of traffic now. Will the police enforce the left hand turn?

Mr. Hubschman said that the office was very small. If there are 5 trips a day per apartment , that is a total of 30 trips.

Mr. Zaloi requested that a "left turn only" lane be required for exiting traffic onto Broadway.

Mr. Amicucci said that the board has no control over that.

Mr. Sekas said that the apartments were not a coffee shop and that the office is very small.

Mr. Zaloi asked what kind of a buffer will there be along the property line.

Mr. Azzolina said that the applicant will provide shrubbery on both sides of the fence, and the fence will be increased to 6'.

Mr. Sekas said that the applicant will be happy to make it 6',

Mr. Azzolina said that if the angle of the parking is changed there will be more trees.

Mr. Zaloi suggested evergreens.

Cali Bozonis of Demarest was sworn in. She owns 43 Broadway.

Ms. Bozonis expressed concerns about the parking and the fence. It looks as if there will be wall to wall cars and that they will be coming towards us.

Mr. Amicucci asked what sort of a buffer would she like.

Mr. Amicucci described the fence and the shrubbery in the buffer.

Mr. Hubschman described the plans for the trees and shrubs.

Ms. Bozonis said that they were also affected by the water / drainage issue.

Mr. Amicucci said that they were piping the drainage and there should not be a water issue. In fact your property is higher than the applicant's.

Mr. Hubschman said that they are adding 3 catch basins for the water that comes from your property.

Ms. Bozonis said that we just want to make sure that its not all parking that we will see.

Mr. Sekas and Mr. Amicucci reassured Mr. Bozonis.

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Mr. Kassis stated his preference for no balconies on Broadway. Since balconies are typically used as storage areas.

Mr. Sekas said that they would put just the railings but no balcony- just 3" to 4"- a Romeo/Juliet balcony. The variance would be reduced.

Mr. Kassis said that the balconies in back will stay.

Mr. Mueller described how he would write the resolution subject to the Azzolina and Hakim documents.

Mr. Sekas said that they would refer to Mr. Azzolina for Landscape plan approval.

Mr. Moldt suggested reducing the office to 1200 sq.ft, increasing the size of the apartment and thus reduce the parking needs.

Mr. Sekas said that would result in an office too small to rent.

Mr. Moldt said that there will be a variance of 2 parking spaces.

Mr. Hakim said that the applicant did not evoke the combined parking provision.

Mr. Amicucci said that the landscaping should be low enough so as not to block the vision when making a right hand turn towards Piermont.

Mr. Hakim said his office would be happy to review the landscaping plan.

Mr. Mueller listed the revisions to be included in the resolution.

Mr. Moldt made the motion to grant the application subject to submission of the revised plan.

Mr. Merzel seconded.

Mr. Amicucci said he give the stamp of approval at next month meeting subject to receipt of the revised plans.

The application was granted.

The meeting was adjourned at 10:14

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**#1154 Riverview Assoc. (cont.)                      31-39 Broadway                      Block 178 Lot 1-6**

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**Memorializations**

**#1153 Polevoy                      47 Carleton Terrace                      Block 187 Lot 15**

The applicant was granted the following variances in the R-10 Single Family Zone to widen his driveway to accommodate 2 cars.

Min. Lot Area	Reqd 10,000 sf	Existing 9,173 sf	Variance Reqd 828 sf
Min. Lot Frontage	Reqd 100'	Existing 70'	Variance Reqd 30'
Min. One Side	Reqd 15'	Existing 10'	Variance Reqd 5'
Total Side Yard	Reqd 35'	Existing 25'	Variance Reqd 10'
Min. Setback (Driveway)	Reqd 10'	Proposed 5'	Variance Reqd 5'
Impervious Cov.	Reqd 32.9%	Proposed 35.6%	Variance Reqd 2.7%

Meeting adjourned at 8:00 pm