

MINUTES

CRESSKILL PLANNING BOARD

DECEMBER 8, 2009

Mr. Vaccaro called the meeting to order at 7:44 PM and announced the requirements of the Open Public Meetings Act had been fulfilled.

Members present at roll call: Mayor Romeo, Councilman Brennan, Mr. Vaccaro, Ms. Bauer, Mr. Galdi, Mr. Mozur, Ms. Tsigounis, Mr. Vieni, Mr. Laurita and Mrs. Schultz. Also present were Mr. Paul Azzolina, Borough Engineer, and Mr. Steven Schuster, Board Attorney.

Mr. Galdi made a motion to approve the minutes of the November 24, 2009, meeting. The motion was seconded by Mr. Vieni. All present were in favor of the motion. Motion approved.

Correspondence

Letter of Introduction from Mr. Edward M. Rossi, Construction Official, sending Kulick Developers, LLC to this Board for approval to construct a retaining wall at 234 Vaccaro Drive. Application #1392 was received on December 4, 2009. Mr. Azzolina explained that the retaining wall is in the front yard setback and they are requesting a variance for that.

Public Notice from the Borough of Demarest regarding their meeting on December 9, 2009, to amend the Housing Element and Fair Share Plan, an element of the Borough's Master Plan. Copy to Mr. Schuster. File.

Application for Soil Erosion and Sediment Control Plan Certification for 388 11th Street, Nancy Radovich, Application #1391. File.

Letter of Introduction from Mr. Edward M. Rossi, Construction Official, sending WMMGK, LLC to this Board for approval of new signage at 15 Broadway. The tenant is Dr. Sung Lee and he was present. There is one scrolling electric sign in front of the building advertising his dentistry and services he offers. Mayor Romeo noted that we do not allow scrolling or moving signs per our ordinance. He asked Mr. Schuster to look it up and he noted that if he wanted to do it, he would need a variance. Dr. Lee noted that it is inside the main entrance of the building in the atrium. It shows outside the building but there is no glare. It simply states his office name with the phone number. It is a message sign. It was noted that Cresskill Pharmacy has one too and they will be coming here for approval as well. Mayor Romeo asked if he could make the sign stop moving. Dr. Lee noted that he could. The sign is about one foot by about five feet. Dr. Lee stated that what he wanted to show is that he offers free oral cancer screening as well as free mouth guards for children. For him to announce this he cannot have the sign stand still. He handed out a flyer with statistics of oral cancer. Mr. Vaccaro noted that we don't allow a sign this way. If he wants to go with a sign that doesn't move, he can go back to Mr. Rossi and he will approve it. If he wants to have it move, he will have to go for a public hearing. Dr. Lee stated that if that is the case, he will make it stationary.

Mayor Romeo asked Mr. Schuster what the definition of a moving sign was. Mr. Schuster noted that a scrolling sign is not even in the book. He noted that if it is not permitted, it is not permitted. Mayor Romeo asked if he could make it so the sign is there and then it goes off and something else comes on. Dr. Lee noted that he could make it do that. He could have something there and make it disappear entirely and then have something else

appear. Mr. Schuster found that the ordinance reads that "flashing or intermittently lighted signs, signs that are designed to be illuminated in changing degrees of intensity and any illuminated tubing or strings of lights outlining roof lines, stores, windows and all exits of buildings are prohibited and shall not apply."

Mayor Romeo noted that he will have to either keep it at one sign or come in for a variance. Dr. Lee asked if he could occasionally change the message. He was told that he could change the message hourly if he wanted to. Everyone was in agreement with that.

Resolutions for Applications #1386M, 1387 and 1388 were received tonight. It was decided to wait until next meeting to vote on them to give everyone a chance to review the resolutions.

Subdivision Committee

Ms. Tsigounis noted that one new application was received. Application #1392, 234 Vaccaro Drive, Kulick Development, was received on December 4, 2009 and is currently under review.

Report from the Borough Engineer's Office

Mr. Azzolina noted that Application #1392, 234 Vaccaro Drive, Kulick Development, is before the Board for a retaining wall in the front yard setback area. When they presented the plan about a year ago, they had a different driveway configuration and they are looking to modify that driveway configuration. The current design shows a retaining wall in excess of four feet in the front yard setback area. They are required to obtain a variance for that.

Mayor Romeo asked how many feet into the front he is. Mr. Azzolina stated that he hasn't had the opportunity to review the plan. He heard from his project engineer that they are proposing walls six feet tall but he hasn't looked at the plan yet so he can't really say for sure. There should be a fence or railing on top and it obviously would have to be a clear fence so you can see through it. The issues with retaining walls on the corners are obviously critical for site plans.

A representative from the builder was present and he noted that he submitted the plan to Zoning two months ago and it came back that no variance was required. When he applied for the permit to do the wall, he was told no he can't build this because there is a six foot wall there. He came to see Mr. Rossi last week and he was told by Mr. Rossi that he doesn't understand how this went through with no variance required, but he needs to see the Planning Board so that is why he is here. He is not exactly sure what he has to do to construct this wall. Mr. Azzolina noted that he is not sure either because he hasn't looked at the plan. He will let him know as soon as he reviews the plan.

Mr. Azzolina noted that he has received the architectural drawings for Application #1390, 52 Westervelt Place, Greg Hagopian and has confirmed that the FAR calculations shown on the plan are accurate. He recommends that the Board approve the plans dated October 2, 2009, with the stipulation that the applicant be responsible for the removal and replacement of the existing curb and sidewalks across the frontage of the property. There is an existing sidewalk that's in very poor condition and it will only get worse once the construction traffic crosses it. That should be removed and replaced. There is an asphalt curb across the front of the property and he recommends that that be replaced with a granite block curb which is the same requirement that we applied to the property to the west of the subject property. With that stipulation, Mr. Azzolina recommends that the Board approve this plan. Mr. Galdi asked about drainage and runoff. Mr. Azzolina stated that they are proposing two 1,000 gallon seepage pits which will be adequate to control the runoff from the roof areas. The property slopes down in the rear so there is no impact on the properties to the south or to the side.

Mr. Galdi made a motion to approve with Mr. Azzolina's stipulations. Mr. Mozur seconded the motion. All present were in favor. Motion approved. Two copies of the plan were signed with an approval memo. One copy to the Building Department, one copy to the file.

Application #1391, 388 11th Street, Nancy Radovich, is currently under review.

Mr. Azzolina recommends that the Board signs the final plat drawings for the Ferolie subdivision. The plat was submitted about a year ago, but they hadn't posted the bonds. The bonds have been posted and they are currently under construction. This is the final plat that defines the outlines of the lots as depicted on the preliminary plat. Mr. Galdi made a motion to approve the plat, seconded by Mr. Vieni. All present were favor. Motion approved. This plat was signed by the Planning Board Chairman and Secretary.

Old Business

None.

New Business

None.

Other Business

None.

Mr. Vaccaro opened the meeting to the public. No public wished to be heard.

Motion was made by Mr. Vieni to adjourn the meeting at 8:11 PM, seconded by Mrs. Schultz. All present were in favor. Motion approved.

The next four regular Planning Board meetings are scheduled for Tuesday, December 22, 2009, January 12, January 26, and February 9, 2010, at 7:30 PM in the Borough Hall.

Respectfully submitted,

Carolyn M. Petillo
Recording Secretary