

MINUTES

CRESSKILL PLANNING BOARD

JUNE 14, 2011

Mr. Vaccaro called the meeting to order at 7:38 PM and announced the requirements of the Open Public Meetings Act had been fulfilled.

Members present at roll call:

Mayor Romeo, Councilwoman Tsigounis, Mr. Vaccaro, Ms. Bauer, Mr. Galdi, Mr. Morgan, 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 May 24, 2011, meeting. The motion was seconded by Mr. Morgan. All present were in favor of the motion. Motion approved.

Correspondence

Application for Soil Erosion and Sediment Control Plan Certification for 164 Truman Drive, Ron Haboush, Application #1407. Copy to Mr. Schuster. File.

Mayors Advisory from the New Jersey State League of Municipalities regarding SCR-107, Reduce Property Taxes for Certain Preserved Open Space. This proposes a constitutional amendment providing for reduced property taxes for certain privately held lands permanently preserved for open space. SCR-107 would provide reduced property taxes for land that is at least 5 acres in area able to be subdivided into more than one parcel and developed under existing zoning and land use laws. The advisory urges Mayors to contact the State Legislators and urge them to oppose SCR-107. File.

Memo from Ms. Barbara Nasuto, Borough Clerk, regarding the League of Municipalities Convention that is scheduled for November 15-17, 2011. Please let her know who will be attending so she can make hotel reservations. File.

Voucher from Mr. Steven Schuster for services rendered relative to the Planning Board for the month of May 2011, in the amount of \$3,770.73. Mr. Morgan asked who checks the paperwork on these bills. Mr. Vaccaro noted that there is no way to check it because he submits the bill for his hours and nobody is in his office watching him. Mr. Schuster noted that a lot of this bill has to do with the Sokolin litigation. The regular work is relatively a minor amount of money. Most of it is Sokolin. Mr. Galdi made a motion to approve, seconded by Mr. Morgan. All present were in favor. Motion approved.

Letter from Mr. David M. Watkins, representing Mr. Nathan Kipperman, enclosing an executed owner's consent to file an application with regard to 15 E. Madison Avenue. File.

Letter of Introduction from Mr. Edward M. Rossi, dated June 1, 2011, sending Mr. and Mrs. Nathan Kipperman to this Board for approval. They are seeking approval to open a food establishment at 15 E. Madison Avenue. They will serve salads, sandwiches, soups, stews and desserts, and hot and cold drinks. The food will be delivered from a central commissary off-site. The tenants have had multiple locations in New York City for over 30 years. Application #1409 was received June 6, 2011.

Letter of Introduction from Mr. Edward M. Rossi, Construction Official, dated May 26, 2011, sending Mr. David Hertz, Architect, on behalf of Ms. Alvarez, to this Board for approval. Ms. Alvarez is seeking approval to construct a new green residence at 158 Truman Drive. No plans have been received. File.

Subdivision Committee

Councilwoman Tsigounis noted that Application #1409, 15 E. Madison Avenue, Antonio Manfredonia (property owner), applicant is Nathan Kipperman, was received on June 6, 2011. It is currently under review.

Report from the Borough Engineer's Office

Mr. Azzolina noted that he has received the plans for Application #1409. The minimum rear yard of 2.17 feet is existing. Mr. Chris Blake was present. He noted that it is existing. Mr. Azzolina noted that it is existing as well as proposed. Mr. Blake explained that they have a bit of a continuation of a pre-existing non-conforming rear yard. They have a slight decrease in a non-conforming side yard based on the extension of the building which is not parallel to the property line. It is the side yard and the rear yard that are the issues. Mayor Romeo asked where on the driveway are they putting it at 10 feet from the property line. Mr. Blake noted that there is 1.04 feet all the way at the back of the property. He feels this is somewhat adequate in this neighborhood where most of the neighbors and yards around that area are parking lots themselves. They are not in someone's residential backyard.

Mr. Azzolina noted that they are also looking for a potential parking variance depending upon the number of seats in the restaurant. The information that we were given initially showed 64 seats, including the second floor. He asked if that was still the plan. Mr. Blake noted that they reduced it to 50 seats. Mr. Azzolina asked for a current set of architectural drawings. He needs one space for every five seats. They are showing 10 spots so they wouldn't need a variance for parking based on our code. They are going to black top the driveway. There are landscaped areas as well. There are no impervious coverages on commercial property.

Mr. Kipperman noted that they are not going to cook here. They will bring the food in. Mr. Blake presented Mr. Azzolina with one copy of the architectural drawings and pointed out the seating.

Mr. Azzolina noted that they are currently reviewing the plans. They will need a public hearing and noted that whatever date the Board is comfortable with, he will complete his review accordingly. He noted that the plans are substantially complete as presented. Some of the concerns he had were addressed tonight. He received the owner's consent form. He received revised architectural drawings. If the Board wanted to entertain a public hearing at the next meeting, he will be able to meet that schedule.

Mayor Romeo asked Mr. Azzolina if he could make June 28 for a public hearing. Mr. Azzolina noted that he could. Mr. Blake noted that he could also. Mr. Azzolina said that he doesn't know if there are any changes required at this point, and even if there were, they most likely would be of a minor nature that could be handled after any approval action by the Board, if it were so granted. The only complication would be the attorney being able to send out the notices for the hearing as well as the availability for the professionals to testify at the hearing.

Mr. Vaccaro suggested scheduling it for July 12 to give everybody enough time to get everything done. Mr. Kipperman said that he assumes that his attorney will handle the notices, that is why he is paying him. Mayor Romeo suggested scheduling it for June 28 and if they can't get it together for the June 28 meeting, we can change it to July 12. Mr. Kipperman agreed to that. He will notify his attorney and tell him the Public Hearing will be on June 28 and he needs to get the notices out. If something happens, it can be rescheduled for July 12. Mr. Galdi made a motion to schedule the Public Hearing for June 28, seconded by Mrs. Schultz. All present were in favor. Motion approved.

Old Business

Mr. Azzolina noted that they had a pre-construction meeting for the basketball courts. They will start in about two weeks. It will take about two weeks to do the court work. Rockland Electric will take about six weeks overall, starting about a week ago, so lights should be installed about August 1.

Mr. Morgan asked if this went out to bid. Mr. Azzolina noted that they did and they came in about \$80,000 under what they expected. Fifty percent of the total is via the Bergen County grant. Mr. Azzolina spoke with the person down at the County Planning Department that handles the grants and found out that they will be able to take whatever surplus monies they have from the basketball court grant of \$175,000 and use that money to pay for the soccer field lighting because it is the same park and a similar type project.

Mayor Romeo noted that they are meeting on Thursday because they are putting a whole new wall in at Bryan School. The School Board is paying for the wall. They got extra State aid. They are doing the soccer field completely over in the back, they are doing the wall and the tennis court.

New Business

None.

Other Business

None.

Motion was made by Mr. Galdi to go into Closed Session at 8:06 PM, seconded by Mrs. Schultz. All present were in favor. Motion approved.

Motion was made by Mr. Galdi to end the Closed Session at 8:20 PM, seconded by Mr. Morgan. All present were in favor. Motion approved.

Motion was made by Mr. Galdi to adjourn the meeting at 8:21 PM, seconded by Mrs. Schultz. All present were in favor. Motion approved.

The next four regular Planning Board meetings are scheduled for June 28, July 12, July 26, and August 9, 2011 at 7:30 PM in the Borough Hall.

Respectfully submitted,

Carolyn M. Petillo
Recording Secretary