

MINUTES

CRESSKILL PLANNING BOARD

OCTOBER 13, 2009

Mr. Galdi called the meeting to order at 7:42 PM and announced the requirements of the Open Public Meetings Act had been fulfilled.

Members present at roll call:

Mayor Romeo, Councilman Brennan, Mr. Galdi, Mr. Mozur, Ms. Tsigounis, Mr. Laurita and Mrs. Schultz. Also present was Mr. Paul Azzolina, Borough Engineer, and Mr. Steven Schuster, Board Attorney.

Mr. Laurita made a motion to approve the minutes of the September 22, 2009, meeting. The motion was seconded by Mr. Mozur. All present were in favor of the motion. Motion approved.

Correspondence

Letter and notice from Mr. David M. Watkins regarding the Public Hearing scheduled for October 27, 2009 for Application #1389, 180, 188 & 198 Truman Drive, Rio Vista LLC. Mayor Romeo stated that all they are looking for is a consolidation of the three lots. He noted that the owner, Mr. Watkins and all the neighbors have scheduled a meeting on October 20 to try to work this all out.

Letter of Introduction from Mr. Edward M. Rossi, Construction Official, sending Mr. Gregory Hagopian to this Board for approval. He wishes to build a new single-family dwelling at 52 Westervelt Place. Application #1390 was received.

Notice from Rutgers regarding their Land Use seminars in the Fall. File

Notice from Ms. Barbara Nasuto stating that the Cresskill Planning Board will hold a public meeting on October 27 at 7:30 to adopt and incorporate revisions to the Cresskill Master Plan. Mayor Romeo noted that we are just going to start discussing the Master Plan for next year.

Letter of Introduction from Mr. Edward M. Rossi, Construction/Zoning Official, Dated September 22, 2009, sending Laura Iavarone, Expert Make-Up Artist, to this Board for approval. She wishes to lease the store at 12 Union Avenue for an expert make-up studio. Ms. Iavarone was present. She noted that she has a bridal make-up business and she has been doing it for about 12 years. She also teaches make-up classes. It is the store where the Funky Monkey was. She is just going to have vinyl lettering on the windows and no awning. Mr. Mozur made a motion to approve, seconded by Mr. Laurita. All present were in favor. Motion approved. Letter to Ms. Iavarone stating the Board's approval with copies to the Building Department and Ms. Nasuto.

Subdivision Committee

Ms. Tsigounis noted that new Application #1389, 180, 188 & 198 Truman Drive, Rio Vista LLC was received on September 23, 2009 and a Public Hearing is scheduled for October 27, 2009.

Application #1390, 52 Westervelt Place, Greg Hagopian, was received on October 13, 2009, and this is currently under review.

Report from the Borough Engineer's Office

Mr. Azzolina noted that Application #1390, 52 Westervelt Place, Greg Hagopian, is currently a vacant lot. A few years ago a new house was built next door by Mr. DeRobertis. He noted that it was subdivided in the 1980s and was non-conforming in respect to frontage, but they subdivided it into two 75-foot wide lots of 150 foot depth. It was deemed a conforming lot at that time, so it is buildable now.

Mr. Azzolina stated that if their zoning schedule is correct, they are not indicating any new variance conditions. They are identifying some existing non-conformities and that will be part of his review to confirm that their numbers are accurate.

Mr. Azzolina noted that Application #1389, the Rio Vista LLC application, is the same exact plan as that which was presented previously. It is a lot consolidation. They submitted site plan information as well so he is not quite sure what they are advertising it as, but the plan is identical in all respects with the prior proposal. Mayor Romeo noted that the hearing is only on the consolidation, not on the house. Mr. Schuster noted that he doesn't even need to come in here. If he comes in here, he is subjecting himself to the jurisdiction of the Board. Mayor Romeo stated that the applicant is meeting with the neighbors on October 20 and the owner has ordered the landscape architect to put another \$100,000 of shrubbery in front of that house so that you can't see if from the street. They are going to do everything they can to please the neighbors.

Mr. Mozur noted that we had a problem with the last meeting simply because there was no basis for the meeting, we shouldn't have had it. He wanted to know if we are in a situation like that again. Mr. Schuster noted that his understanding is that he does not need to come in and have subdivision approval under this set of circumstances. However, he is doing it. Therefore, the Board is going to have to act on his application. Mr. Mozur asked if we were implying something by allowing a meeting when a meeting is not required. Mr. Schuster noted that he doesn't have to have one but has elected to have one. He has the option of doing it this way, which is more involved, or he has the option of doing it by deed. He doesn't see that there is anything wrong with doing it this way.

Ms. Tsigounis is concerned about why they are doing this. Is he alleviating himself of any liabilities or responsibilities that he would have by putting it on the Board? Mr. Schuster stated that sometimes there are practical reasons for doing it this way. One of the reasons is that sometimes it comes up for financing purposes and they want to know if the town ever approved it.

Ms. Tsigounis asked if the Board had to vote. Mr. Schuster explained that when there is a public hearing, we act by resolution. Mayor Romeo noted that he wants it all on the record that he did everything out in the open. Mr. Azzolina wanted to know why, if this is strictly a subdivision application, did they submit the complete application package, which includes the site plan, soil movement plan, an architectural plan? Mr. Schuster noted that in the past we have gotten site plans with other documentation just for information purposes, not for purposes of any approval. We are only going to be acting on the part of the application being the subdivision and anything else is strictly for illustration purposes only. Mayor Romeo noted that there will not be any discussion of that house at the meeting. They are only voting on the consolidation of the lots.

Mr. Schuster noted that he put in the notice that he is looking for approval for minor subdivision and minor soil moving and approval to build a single family dwelling on the site. Mayor Romeo asked Mr. Schuster to call him and clarify that he is only coming in for the lot consolidation. Mr. Schuster said that is not what the notice says so he will call and talk to him.

The temporary rink is still up and he is being fined every day. He is aware that he is being fined and will have to pay it.

Old Business

None.

New Business

None.

Other Business

None.

Motion was made by Mr. Laurita to adjourn the meeting at 8:13 PM, seconded by Mr. Mozur. All present were in favor. Motion approved.

The next four regular Planning Board meetings are scheduled for Tuesday, October 27, November 10, November 24, and December 8, 2009, at 7:30 PM in the Borough Hall.

Respectfully submitted,

Carolyn M. Petillo
Recording Secretary