

MINUTES

CRESSKILL PLANNING BOARD

JANUARY 24, 2012

Mr. Vaccaro opened the meeting at 7:39 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 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 January 10, 2012, meeting. The motion was seconded by Mr. Morgan. All present were in favor of the motion. Motion approved.

Correspondence

Notice from the Bergen County Bar Association for the 2012 Annual Land Use Committee Symposium, Saturday, March 10, 2012, at Bergen Community College. File.

Application for Soil Erosion and Sediment Control Plan Certification for 388 Eleventh Street, Frank DeCarlo/FDC Contracting. File.

Notice from the Borough of Tenafly regarding the 2012 Re-examination Report, Amendment to the Open Space Recreation Plan and an Updated Historic Preservation element of the Tenafly Master Plan (all dated January 6, 2012). A public Hearing will be held on Wednesday, January 25, 2012, at the Tenafly Municipal Center.

Memo from the County of Bergen, Department of Parks, Division of Cultural and Historic Affairs, dated January 17, 2012, regarding Application #SP8062, proposed 9,551 square feet addition and 4 parking spaces at 221 County Road and Union Avenue, Cresskill (CareOne at Dunroven). This property is immediately adjacent to the Benjamin P. Westervelt House at 235 County Road. The Westervelt House is an early stone house that is listed on the New Jersey and National Registers of Historic Places and is included in the Historic American Building Survey. A quick review of the site plan suggests that the proposed project does not increase the impact on the adjacent historic building. They are informing the Borough to consider potential impact on this significant neighboring property during their review. The letter also notes that the owner of 235 County Road was probably not informed about this project as the property is not included on the cover sheet of the plans in the list of the properties within 200' of the project. Since the historic property is immediately adjacent to the project parcel, this was found to be strange. Mr. Azzolina noted that he is going to the hearing regarding this project. He noted that the number of parking spaces stays about the same. There are about 81 now and they are going to 85 so it is not a significant increase in parking. Currently they are saying that there are 100 beds and they are proposing to go up to 122 beds. Depending on how you interpret the code, there is a section of the code that provides parking based on the number of beds and it would be one space for every three beds and they would theoretically have enough parking. There is another standard based on square footage and he is not sure if they comply with that. Mr. Azzolina was given a copy of this memo.

Letter of Introduction from Mr. Edward M. Rossi, Construction/Zoning Official, dated January 11, 2012, sending Mr. Jeff Chung to this Board for approval. He wishes to sub-let office space from Freidburg Properties, 105 Union Avenue, 2nd Floor, to open a SAT Tutoring class to local high school students. He has an extensive educational background as follows: Graduate of Binghamton University with majors in chemistry and history, a master's degree in public policy from the University of Pennsylvania and a master's degree in management from Stevens University. Mr. Chung was present and noted that he is subleasing from RCM, who is the current tenant. RCM is a research and marketing firm. He is basically going to rent out a conference room just on the weekends to tutor students for the SAT and AP classes. He will probably have five to seven students. He will be running classes only on Saturdays. It is approximately 350 to 400 square feet. There is plenty of parking. Mr. Galdi made a motion to approve, seconded by Mrs. Schultz. All present were in favor. Motion approved. Letter sent to Mr. Chung stating the Board's approval, with copies to the Building Department and Ms. Barbara Nasuto.

Subdivision Committee

Councilwoman Tsigounis had nothing new to report.

Report from the Borough Engineer's Office

Mr. Azzolina noted that he received a site plan for the Lavon residence on 96 Westervelt Place. The Board has not received it.

Mr. Vaccaro asked about Allen Street. Mr. Azzolina noted that previously he spoke with Verizon and got a ballpark number for the proposed underground relocations. They gave him a ballpark number but indicated that in order for them to give him a firm number, we would have to post an escrow for their engineering services. The number they presented at the time was about \$8,000, which if we are talking about a \$1 million project, he thinks it is money well spent to get a firmer idea of what their relocation costs might be. He will look to set up a preliminary meeting with them. Rockland's costs were not as significant as Verizon's costs. They were around \$500,000. Mr. Azzolina explained that this is how the utility companies are working these days, by requiring escrows. Currently there is overhead electric, cable and telephone. The proposal is to place all the transmission facilities as well as all services underground. They would need to relocate everything basically from Piermont Road to Union Avenue. Aesthetically it makes sense. The total costs would probably be around \$1 million plus for just the utility relocations.

Mr. Galdi asked about FIOS coming into town. Mr. Azzolina noted that it hasn't yet. Mr. Vieni explained that Verizon is claiming that our POP (point of presence) where they take the wires out of (sort of a central hub) is too far away. Cresskill's POP is in Englewood.

Mr. Vaccaro asked if we should pay Verizon \$8,000 to get a firm number for Allen Street. Mayor Romeo asked Mr. Azzolina to go back to them and offer them less. Mr. Azzolina noted that he was going to go back to them to set up a preliminary meeting first and see what they say.

Mayor Romeo asked about the pavilion. Mr. Azzolina noted that he has the structural information from his consultant. He has some aesthetic questions he would like to review. He will consult with Councilwoman Tsigounis after the meeting.

ERI Presentation

Mr. Micheal Hakim was present to make the presentation. Ms. Kerry Miller from the Association of New Jersey Environmental Commission, who is providing some of the funding for this project, was also present.

Mr. Hakim noted that in 2011 they applied to ANJEC for a land use grant for the preparation of the environmental resource inventory for the Borough of Cresskill. This borough has never had one. Every town around Cresskill has had an ERI or an NRI (Natural Resource Inventory) for many years. We have gathered environmental information over the course of the years in the process of preparing the Master Plan updates, but we never had one document that's an inventory of all the resources. We were fortunate enough to receive a grant from ANJEC. Actually the money originated from the Geraldine R. Dodge Foundation and is administered through ANJEC in the amount of \$8,925. Everybody thanked Kerry Miller for the grant and for spending her evening coming out here.

This was advertised as a public information meeting, an update, to bring the Planning Board and the public up to speed on where they are at. This is a draft document, which is very close to being 100%. This is an opportunity for everybody to look at it more thoroughly and give comments and let them know what you think of the document. He will explain what it actually is. The project team, which was established as a cross section of people from a variety of different areas in Cresskill, the Environmental Commission, Planning Board, Council, DPW and the Administrator, met and discussed the various sections as they have gone along. Ultimately when they get to a point where it is complete, the project team will ask the Planning Board to adopt this ERI as part of the conservation element of the Master Plan, which makes it an official document of the community.

This is a document that was envisioned by the NJ State Legislature back in the '70s. It has a lot of value. It is an educational tool for residents, for school children, for anybody who wants to read it and understand and learn about the natural resources and environmental issues that are in their community. The intent is to have this document posted on the Borough website, to have hard copies in the various schools, libraries, and the Borough Hall and available for anyone who wants to read it. It is important in that it enables you to have a tool that you can then evaluate land use alterations. When people come to the Planning Board or to the Board of Adjustment or maybe to the Mayor and Council to seek some type of change to the local laws because they want to make some type of land use change, it gives you a factual, unbiased document that is an inventory of all your natural resources and you can evaluate whether or not the proposal is beneficial or might cause adverse impacts. The value of doing that is two-fold at least. Number one, you are not relying on the applicant telling you what is there, because they will tell you generally there is no impact, there is nothing of sensitivity. You have your own document and you need to understand that this is a planning level document. It is not to the level of detail that you would expect or you would get on a site plan, but it does serve as a red flag for you.

What you would do is look at the maps in the document, you would look at the site that someone would want to do something on and you would see if there is some indication that there is some reason for concern. If so, you then have the backup to put the onus on the proposer to demonstrate to you that either those resources are not there, or if they are there, they are taking steps to protect them. It helps you to protect and enhance your environment.

Mr. Galdi asked if this was a fast synopsis of planning and developing that you would compare different things that they are asking about. It gives you more insight on what the area is and what you are looking at. Mr. Hakim agreed. You could say to them that it looks like there are wetlands on the property directly adjacent to you and there is a buffer and yet your plans show nothing there. It doesn't necessarily mean you are right and they are wrong, what it means is that they are going to have to justify it. It raises the question and that is what is important. It also puts the Environmental Commission in a position of being able to provide informed advice to the Planning Board and the Board of Adjustment so that if they get included in the circulation of applications and plans, they can look at it from their prospective, which is different from the Planning Board and Board of Adjustment prospective. They are only advisory, they are not regulatory, they can't approve or reject a project, but they can certainly submit a memorandum report to the Board to give you a more thorough background and help you make a more informed decision when you are looking at these applications.

For the school children, environmental education is something that we didn't have as kids, but today it is really integral to grade school education. This gives them a document that they can look at, not just look at resources generically throughout the state or throughout the nation, but what it actually is in their

community. And it hits home. It has a great impact on the children. For the general public, if they take the time to read this document, or even parts of this document, or even to study the maps and not read the text, they become aware and enlightened as to how many of these resources we have in our community. It is really remarkable when you look at all these maps, we don't realize how many natural areas we have in and around us. Often times we look at streams and wetlands and things of that nature as just one more impediment to get past on our way to work. They have great value. If we care for them, we reap the benefits in return. We have fully developed communities in northeast Bergen County and whatever we have left is worthy of saving.

One of the great values of a document like this is that it is an inventory. It is not a planning study. It is not an action plan for protecting the environment or stopping development. It is none of those things. If it was, its value would be diminished. The fact that it is an impartial, factual document that identifies, locates, delineates and classifies where appropriate the various natural resources, without any subjective interpretation, gives it value to both the development side and the preservation side and prevents it from being denigrated as a document that is biased. That is really an important part of an environmental resource inventory.

What they did was establish an outline of topics that are important to Cresskill. In the table of contents, you will see the various topics that are included in the document. There is an introduction, background, location of Cresskill, and they looked at topography, slopes, geology, soils, flood plains, freshwater wetlands, surface waters, geography and watersheds, ground waters, wildlife, upland vegetation, open space and it finishes with environmental sensitive areas and recommendations. For each of these topics, there are three subsections. The first subsection discusses the importance of the resource, the second subsection discusses the methodology used in order to gather the information, where it came from and how current and accurate it is, and the third section speaks specifically to Cresskill, where in town it is, what its function is and so forth.

They are going to create large scale exhibits of the graphics up on a board with a series of flip charts with each of the graphics so that when the Council, Planning Board or Board of Adjustment are in this room reviewing land use proposals, they will be able to turn right to that set of maps and say to the applicant that it says here that there is something to be concerned about, how do you respond to it. You will be right on the spot and will be able to address those issues, without having to ask them to go away and come back. Most of the sources of information came from government agencies, a lot of them from the DEP, some of them from Soil Conservation, some from the Federal Emergency Management Agency and the maps that are in the bound report, except for the State map and the County map, will show you the mapping. For example, one will be topography and slopes. You will be able to read about topography and slopes, generically, how they got the information and how it applies to Cresskill, and then you will be able to look at the map and see it. All of these maps will be 11 x 17 fold out maps. Mr. Hakim showed some of the maps and explained them.

One of the maps showed the watersheds. Ninety to ninety-five percent of Cresskill flows into the Oradell Reservoir. Five percent doesn't. It's in the Overpeck Creek watershed and bypasses it. This is the type of information that is in the report. There is no graphic for geology. The soils map shows each of the soil types which is keyed in to the color code on the bottom with the name of the soil type. If you go into the text, every one of those soils is broken down by the percentage of the soil in the community so you know what the predominance of different soil types are and where they are in terms of where you live and where you work. Each of those soils is described as well. Flood plains are a huge issue in Cresskill and the mapping bears out what we all have been experiencing, especially along the Tenakill Brook at the north end. This also allows you to see where the waterways are and how they feed down from Alpine and Demarest and upper Cresskill down to the Tenakill Brook and head north to the Oradell Reservoir in Closter.

What they did for wildlife and sensitive vegetation is they went to the New Jersey Natural Heritage office at DEP and they did a literature search for any sightings or knowledge of threatened and endangered species and that is all documented in this report.

Mr. Frank DeCarlo ran a student volunteer program a number of years ago so they don't have a current street tree inventory, but it is not terribly old, and it shows you the various streets and the number of different types of trees that were identified back then. These are town trees on easements. The open space information they decided to cull from the open space and recreation plan and it is a little bit duplicative. All of the planning aspect of the Open Space and Recreation Plan were left out. This is simply inventory showing where all the various existing open spaces are and then some of the volunteers on the project team wrote little descriptions of each of the parks and took some photographs.

Mr. Hakim noted that Cresskill is underserved in open space and park and recreation lands and that is what justified the grants that we have gotten from Green Acres. We have diminished that deficit over the years, but we still haven't reached what the planning numbers are that the community this size should actually have. Mr. Vieni asked how short we were. Mr. Hakim noted that he didn't know the number off hand, but if you look at the Open Space and Recreation Plan, it is all quantified in there.

Mr. Hakim noted that people are going to look at this and say they didn't realize that their town had so many parks and so many beautiful open spaces and maybe you will get people out and using the resources that are available to them.

Mr. Hakim noted that Chapter 14 is about the environmental sensitive areas. What this chapter does is it takes all the resources that we already inventoried, and takes the most severe of them and accumulates them into one map. By itself, it doesn't have a great feel about it, but this would be the one that he would recommend be on top of the easel when they set up the board. This one is the first thing that you would look at. If someone comes and says they want to do something, you might want to look at this map first thing and if you see it is shaded, you can look back through the other maps and find out what it is that there is a potential concern for and you can address it that way. If it doesn't show up on this map, it's not going to be a concern and you drop it and move along. It is a valuable synthesis, if you will, of the most severe of all the resources.

At the very end, and Mr. Hakim debated whether to put this in at all or leave it as separate, is Chapter 15, the recommendations. The reason he debated it is the very same rationale he used earlier, which was, we don't want this to voice opinions because that diminishes its impartiality. What he strove to do in the recommendations, and if the Board feels as though he was not successful he would like to know, was simply to recommend how they should be cared for, the resources. What type of protection they should continue to get if you want to continue to maintain them. It doesn't take stands. It is included at the end because there are certain things that people don't think of offhand. For example, people that live next to natural areas, cut their lawn and may throw their clippings in the woods, thinking it is just a plant and it is not going to hurt anything. It is very adverse because grass cuttings have fertilizers, herbicides, pesticides, and it smothers what's below. It is not a native plant and there are all kinds of adverse effects from doing things like that. That is not the only example, that is only one example. There are a series of those types of recommendations which caution people and there are ways which each of us can contribute to making it a more sustainable environment by understanding the impacts of their actions.

There is another contour map that is more detailed, but it is not in a very usable format on the internet, but Mr. Hakim wanted to include it because it gave more detail. It is included in the back in the appendix. It shows the topography of the community.

Mayor Romeo asked Mr. Hakim what you have to do to qualify under Blue Acres. Mr. Hakim stated that Blue Acres is a subsidiary of Green Acres. Green Acres gives out money for open space and recreation. Green Acres and Blue Acres are both under NJDEP. Blue Acres focuses on flood plain lands. It is a buyout program. It's not where you give people money to help fix their houses because they have flood damage. They buy the property, they knock the houses down, they lower the elevation to predevelopment elevations to increase flood storage. They want to turn these lands back into flood plains. The problem is, statewide, there is only \$36 million in the entire program. They just had an experience in a community along the Passaic River, which floods more than the Tenakill Brook, and they got nothing because there is just not enough money to go around. Part of the reason is because of who you are competing against. You are competing against houses that have had ten to twelve feet of water

in them. The flooding problems in New Jersey have gotten worse and worse from overdevelopment more than anything else. Blue Acres could be a great program, there is just not enough money in it and there is just too many hands trying to get into that pot. Green Acres bond issue is \$400 million and Blue Acres is \$36 million.

Mayor Romeo noted that we did this all to ourselves. The Tenakill at Bryan School went almost to the pitcher's mound. We filled it all in with all the leaf dump. Third Street was a complete swamp and we filled that all in with leaves and we built the Rec Center on it. All Pierce Avenue was a whole swamp with the cattails and everything and all that was filled in. Normally it would dissipate out into the swamp and it would hold the water and go back in. Now it fills up people's basements all along the Tenakill. Everything in town flows into the Tenakill, every storm drain, every creek, everything in town flows down both sides because of the valley into the Tenakill. Every rain you are filling up the Tenakill. Now you take away 500 feet on each side that were swamp and you cut the Tenakill down to 20 feet across that hardly flows. Mr. Hakim noted that this is everywhere and people didn't recognize the incremental detriment they were causing and when you put it all together, the cumulative impact is devastating. That is why we have the flooding so much worse today than it ever was in the past.

Mayor Romeo noted that this is an excellent report and he thanked the team.

Mayor Romeo asked why we can't dump our own leaves in our own town. Mr. Hakim noted that you can't put them on Green Acres property or park property because they are encumbered by Green Acres.

Mr. Hakim noted that is important to now recognize that these resources are valuable and what we have left we have to care for. Property maintenance issues are important. DPW will be aware of how they deal with these things, chemicals and clean-ups and so forth. It is going to be a document that will have a lot of value and the hope is that it doesn't just sit on a shelf. That is the reason they are going to put it up on an easel and that is why it will be on the website. It should be apparent so when you go to the website and look for various documents, there will be something to click on to go to this document.

Ms. Kerri Miller stated that she has seen a lot of environmental resource inventories developed over the last 11 years that they have had this grant program and she had a few words of advice as the Board looks over the document. The maps are the thing that draws people to this document. Maps attract people. If you put a map on the table it is like a magnet. You do want this to be an education tool, you don't want it to be just for insiders, so she wanted to remind you to keep in mind that it is going to be in paper form, so how do the maps look in paper form, but it is also going to be on the website and people will look at it on their monitors. Sometimes colors come out differently when you print them out than they do when they are on the monitor. The contrast and readability factor is important. If you have comments for the map, you should add a label. You should add labels to anything that is not labeled that might have a name. Little details that might make the map more compelling will be a nice addition. Ms. Miller thought they did a beautiful job with the text. It reads very nicely and it is very important that it read in a very understandable way so that someone who doesn't feel they are an expert about the town will read it and come away feeling like they know a lot more about the town.

Ms. Miller noted that the first thing anybody ever does when they look at a map is look for their house. She would encourage you to think objectively. Look at it like you were an outsider and think about what would make these maps more interesting or useful to other people. Mr. Hakim noted that the brooks that are not labeled do have names they just didn't get added. There are two brooks that come down from the East Hill. The northernmost one that just barely comes into Cresskill and feeds into the Tenakill Brook is called Demarest Brook. It comes from Alpine, into Demarest and into Cresskill for just a short piece. The one that does actually go through Cresskill a little bit more lengthy and goes through Delmar and Morningside is called the Cresskill Brook and each of them have small tributaries that feed them. The one that comes down from Rio Vista, cuts through Lambs Lane, is a tributary of the Cresskill Brook. Mr. Hakim noted that whatever brooks once existed on the west side of town are all culverted now. If you look at the surface waters map, you only see Tenakill Brook and brooks going to the east.

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. Galdi to adjourn the meeting at 8:44 PM, seconded by Mrs. Schultz. All present were in favor. Motion approved.

The next four regular Planning Board meetings are scheduled for February 14, February 28, March 13, and March 27, 2012, at 7:30 PM in the Borough Hall.

Respectfully submitted,

Carolyn M. Petillo
Recording Secretary