

# MINUTES

## CRESSKILL PLANNING BOARD

OCTOBER 28, 2014

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, Mrs. Schultz, Mr. Calder and Mr. Ulshoefer. Also present were Mr. Azzolina, Borough Engineer, and Mr. Steven Schuster, Board Attorney.

\*\*\*\*

Mr. Galdi made a motion to approve the minutes of the October 14, 2014, meeting. The motion was seconded by Mr. Morgan. All present were in favor of the motion. Motion approved.

\*\*\*\*

### Correspondence

Letter of Introduction from Mr. Edward Rossi, Construction Official, dated October 14, 2014, sending a representative of G. Lita III, LLC to this Board for approval. They would like to open a pizza restaurant at 10 Madison Avenue. No one was present. Hold for next meeting.

Letter of Introduction from Mr. Edward Rossi, Construction Official, dated October 22, 2014, sending Ilan Cohen to this Board for approval. He would like to construct a new single-family residence at 20 Crest Drive North. Mr. Michael Goodman, the attorney for the applicant, was present. Mr. Goodman noted that his client made a mistake. He should have known the law requiring that they can't take down more than two walls. He took down more than two walls. He has pictures to show that this is simply a renovation and they made an absolute mistake. He is here, really to express for them, that they are sorry for the mistake. The Board needs to understand that his client's reputation in this area, and he builds a great deal in this area, including in Cresskill, is more important than anything. Mayor Romeo asked where else he has built. The builder noted that he has built on Crest Drive South.

Mayor Romeo noted that his point is well taken. He informed them that they need to submit a complete set of plans so they can be reviewed. If they are building what they say they are building and no variances are needed and everything is up to code, they shouldn't have a problem. Mr. Goodman noted that they did receive variances from the Zoning Board. Mayor Romeo stated that those variances would extend to this process here.

Mr. Azzolina stated that he thinks they know what they need because they actually had prepared a plan for this property before. Mr. Cohen noted that they had a plan for the Board of Adjustment. Mr. Azzolina stated that they need an engineering site plan which would be very similar to that which they prepared initially for their first attempt at the development of this property. They need to modify that plan and he recommends that they go back to that engineer. Mr. Cohen noted that this is a different project than what the original plans were for the Planning Board.

Mr. Goodman wanted to express his thanks. He stated that this doesn't happen often, but it happens. Mayor Romeo suggested that they get the plans to Mr. Azzolina right away so he can review it right away. Mr. Calder asked if we can get the minutes from the Zoning Board meeting and if they can be made

available. Mr. Schuster stated that we at least should have the resolution of approval. Mayor Romeo asked to get the Resolution from Ms. Bauer for this property.

The builder asked why we need the site plan if it is the same thing that was approved by the Zoning Board. Mr. Vaccaro stated that it is a whole new project. It is no longer a renovation it is a new house. The builder stated that it is a renovation, not a new house. Mayor Romeo noted that technically you have a basement, but the rest of it is brand new. He saw that it is all new wood. The builder knows that he did a mistake and he left only one old wall on the first floor, but even the second floor, part of the first floor ceiling is still the old joists. It is a stupid mistake. Mayor Romeo stated that they were informed of what to do and if they do it, they should be fine. Mr. Schuster told them they need to do what they have to do, bring the application in, get the paperwork in order and we will move ahead with it.

Letter of Introduction from Mr. Rossi, Construction Official, dated October 28, 2014, sending a representative of Pulte Homes of NJ to this Board for approval to construct a 38 unit townhouse development at 1 County Road. No variances are required. No application has been received.

\*\*\*\*

### **Subdivision Committee**

Councilwoman Tsigounis had nothing to report.

\*\*\*\*

### **Report from the Borough Engineer's Office**

Mr. Azzolina noted that he has received a revised plan for Application #1450, R&J LLC. They are currently under review. He will report on that at the next meeting.

On Application #1454, Lumaj Builders, 221 Brookside Avenue, the applicant appeared at the last meeting with their engineer. They presented their plans which were reviewed by his associate at the time. He hadn't done his final review yet. In the interim, he had prepared a memorandum of items that needed to be addressed. He e-mailed it to the applicant. He presented a copy to the Board. That memorandum is dated October 23, 2014. He received this afternoon via e-mail revised drawings. The applicant attempted to submit the revised plans but he was unable to get to the Borough Clerk's office. His finding is that the plans as revised address his comments set forth in his review letter. From his perspective, the plan is complete and he would recommend final approval at this time.

Mayor Romeo asked if the house was torn down yet. It has not been. Mr. Azzolina noted that trees have been removed on the property. The one issue that remains with the property is there is a shade tree in the right-of-way that is located in what is going to be the center of the driveway. He advised the applicant that he needs to approach the governing body to ask permission to take that tree down and most likely replant in compensation for it.

Mayor Romeo asked what was in the back that looks like a trellis. The applicant noted that it is a fence but he is not sure if it is his or the property behind him. He will tear the house down as soon as he gets the permit. Mayor Romeo asked to send a letter to Mr. Kevin Terhune of the DPW to go look at the tree that is being proposed to be taken down in the right-of-way and advise Mayor Romeo, Mr. Vaccaro or Mr. Azzolina on what he advises.

Mr. Morgan made a motion to approve Application #1454, with plans revised October 28, 2014. Mrs. Schultz seconded the motion. All present were in favor. Motion approved.

\*\*\*\*

**New Business**

Letter of Introduction from Edward Rossi, Construction Official, dated October 9, 2014, was presented by Ms. Sayra Acuna, the Facility Manager of USA Bouquet LLC. They are applying for an occupational permit. They are not making any changes to the building that is located at 160 Broadway. It is where Everflora used to be. They are a floral wholesaler. What they do is get orders from FDT or other on-line e-commerce clients and they ship them from their location. Their biggest days are Valentine's Day, Mother's Day and a good volume with Christmas. It is very low key.

Mr. Schuster asked how it was going to be different compared to what was there before. Ms. Acuna noted that it is not going to be different. Right now they are sharing the building with Englewood Hospital Billing. EverFlora, which is basically the same thing, used to have the offices up front. What is happening now is Englewood Hospital is up front and USA Bouquet is in the back. There is no office space, it is just a warehouse. There will be 13 employees on an everyday basis and for the holidays it increases based on the volume. There is no problem with parking. Mr. Calder made a motion to approve, seconded by Mrs. Schultz. All present were in favor. Motion approved. Letter of approval sent to Ms. Martha Haswell, with copies to Ms. Barbara Nasuto, the Building Department, the Fire Department, the Police Department and the Health Department.

Mr. Azzolina noted that he neglected to report on Application #1453, 87 Monroe Avenue. He received revised drawings addressing his comments that he had given the applicant's engineer as well as receiving the survey. He would recommend formal approval of that application. They did not submit plans to the town. They need to submit copies of the drawing to the town for signature. Mr. Morgan made a motion to approve, seconded by Mr. Galdi. All present were in favor. Motion approved.

Mr. Vaccaro noted that there is a proposed application for some townhouses. Mr. James Mullen, an attorney in the State of New Jersey, and an employee of Pulte Homes of NJ, who has an application for a townhouse community at the property known as the Willow Run Nursery. With him is Mr. Michael Dipple, their civil engineer. They are presenting plans, but not a formal application. Mr. Schuster asked what they were doing, just so the Board is clear, since there is no formal application submitted yet. Mr. Mullen noted that they have not filed yet, but they want to. They are here tonight to ask to be sent to the Board for a completeness hearing for the next meeting. Mr. Schuster asked if this was an informal today. Mr. Vaccaro noted that this is just an informal. There is no application. Mr. Schuster asked if this was like a conceptual type of thing. Mr. Mullen noted that it was like a pre-application step. The plans are very detailed. Mr. Schuster stated that by doing this informal, anything the Board says is advisory only, and they will not be bound by any comments that are made and nothing will be binding.

Mayor Romeo noted that they received a Letter of Introduction after they gave the plans to the Building Inspector. He told them to come here and start the process. We are now starting the process. We are going to take these plans and review them as a Board over the next two or three weeks along with the Borough Engineer and the attorney to see what is needed and then we will have a Public Hearing because it is a major subdivision. If there are no variances, we still need a Public Hearing. We are a ways off on the Public Hearing. This is just starting the process. Mr. Azzolina noted that it is a major site plan. Mr. Schuster noted that once the application is filed and it is deemed complete, then we can set the date for the Public Hearing.

Mr. Azzolina stated that he and Mr. Dipple have had several conversations. His office is currently in the process of doing a completeness determination review based on the original submittal, which is identical to that which was turned in to the Building Inspector. Mayor Romeo noted that he has a complete set of plans in his office for anybody that wishes to come down and look at them. Mr. Azzolina anticipates being able to report at the next meeting, November 11. Mr. Calder asked if the completeness report would be written or verbal. Mr. Azzolina noted that typically his completeness determinations are verbal. It can be written. If he has comments, then he prepares a memo. Mr. Calder asked if they can get the memo prior to the meeting so they can spend some time going over the memo. Mr. Azzolina stated that he took a cursory look at the plans, and quite honestly, they appear to be complete. He spoke to the engineer this morning about the architectural drawings. They need to be supplemented and he is assuming that that is

already in progress. He will be able to report at the next meeting, and the Board can elect to schedule a hearing on the matter.

Mr. Galdi asked if he was able to get into the plan as far as the drainage and all that. Mr. Azzolina noted that he has one of his engineers doing the detailed review of the plan right now. Mr. Schuster asked if the application is going to be filed as them being the contract purchaser. Mr. Mullen noted that that was correct.

Mr. Dipple presented a rendered copy of the site plan sheet. He pointed out County Road on the east side, Broadway on the north side. Everything on the site would be removed: the building, all the display areas, the parking, and it would be replaced by 38 townhouse units in seven separate buildings. Access is proposed off of Broadway and County Road with a right in, right out exactly the way it is today. There would be only one entrance on Broadway located about as far away from the intersection as they could get it. The townhouse blocks of about six units each. This property has been rezoned recently. This plan follows that rezoning. They are very close to complying with everything. There are a few items that they are asking for some relief on and that has to do with driveway width and one roadway width in the front. Also, due to the ordinance, they do have an issue with building height. He has talked with Mr. Azzolina and it is just the way it is calculated. The ordinance calculates height in a very unique way and because of that, it does trigger a very small variance and they do display that.

Mayor Romeo asked if measured from contour it doesn't require a variance. Mr. Azzolina noted that that is how this Board has historically applied the ordinance. It has always been the finished ground elevation as opposed to the lower of the existing or proposed. Mr. Dipple noted that they spoke about that and they are aware, they just thought it would be prudent to label it as a variance because the code is very specific about how it is calculated.

They have spent a lot of time in the design trying to beautify the site. The landscape architect is a former employee of Willow Run and he knows the site very well. He did a very good job. He thinks the plans are very thorough. They have worked very hard with Pulte over the last two to two and half months. They are reducing the impervious coverage on the site. Right now there is a lot of outdoor display area, which is asphalt and some compacted gravel. There are a number of buildings on the site. There is a main building, there is a residence building, a greenhouse, a barn and you have all that impervious surface.

Mayor Romeo asked who has the final word on this, Pulte? Mr. Mullen noted that Pulte does. He asked if they were married to the name of "The Monument." Mr. Mullen stated that he would have to talk to the owners and their marketing department. Councilwoman Tsigounis noted that anybody would think that it would be up at the Monument and they would go to the wrong location. Mayor Romeo stated that the reason that he asks is that there is a lot of sentimental value to this property. The Willow would be a nice name for that. Councilwoman Tsigounis asked if there was a way that they could present what the visual appearance of it would be. They don't want it to look like a cluster development when you are coming from County or Broadway. Mr. Dipple noted that this is a two dimensional plan. What he's presenting on this one sheet doesn't tell the story.

Mr. Schuster asked how big each unit was going to be. Mr. Dipple noted that they are 24 feet by 40 feet as the main structure. There is an optional 10 foot extension in the back with a deck, so overall it could be as deep as 50 feet. That is an option. As they sell them, some homeowners may want the extension and some may not. They are currently showing them all to be the biggest. They comply with nearly every standard with the exception of the building height which they talked about. The townhouse ordinance which was adopted throws everything into the zoning so he believes the driveway width and the roadway width won't be a problem. They are showing everything at the max.

Councilwoman Tsigounis asked if County Road was at a higher elevation. Mr. Dipple said it was. Mayor Romeo wanted to make sure that it was screened along County and Broadway. Mr. Dipple noted that it is and it is also bermed and they will get into it with the grading plan. When you marry that with the landscaping, you can see that the effort was made to really try to screen this the best they could.

Mr. Schuster asked how many bedrooms were in each unit. Mr. Mullen noted that there are three bedrooms in each unit with different features in each of them. Councilwoman Tsigounis asked if it is going to be treated as an association. Mr. Mullen said that it was going to be treated as an association and they will take care of snowplowing, lawn maintenance and all of that. Mr. Morgan asked about the height. Mr. Dipple said that it was 35 feet. The impervious coverage is 63% and they are allowed 65%. The building coverage is 34% and they are allowed 35%. Mr. Morgan asked about the prices. Mr. Mullen stated that he wasn't sure right now but they will be significant.

Mr. Calder asked if they have given any consideration to the impact on traffic. Mr. Mullen said that they will have a traffic engineer prepare an actual study and that will be submitted with a drainage report, environmental impact statement and all that. He believes that the traffic will actually be less because residential traffic tends to spread the traffic out, but he will save that for the traffic engineer. All the garages are at ground level. Mayor Romeo asked what the drop was from County to the sidewalk. Mr. Dipple noted that it was about three feet.

\*\*\*\*

**Old 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 8:17 PM, seconded by Mr. Calder. All present were in favor. Motion approved.

\*\*\*\*

The next four regular Planning Board meetings are scheduled for November 11, November 25, December 9, and December 23, 2014, at 7:30 PM in the Borough Hall.

Respectfully submitted,

Carolyn M. Petillo  
Recording Secretary