

MINUTES

CRESSKILL PLANNING BOARD

NOVEMBER 24, 2015

Mr. Morgan opened the meeting at 7:33 PM and announced the requirements of the Open Public Meetings Act had been fulfilled.

Members present at roll call: Mayor Romeo, Councilwoman Tsigounis, Ms. Bauer, Mr. Calder, Mr. Morgan, Mr. Ulshoefer, and Mr. Durakis. Also present were Mr. Azzolina, Borough Engineer, and Mr. Steven Schuster, Board Attorney.

Mr. Ulshoefer made a motion to approve the minutes of the November 10, 2015, meeting. The motion was seconded by Mr. Durakis. All present were in favor of the motion. Motion approved.

Correspondence

Notice from Rutgers Continuing Studies, Center for Government Services, for Planning & Zoning Programs for the Spring of 2016. File.

Application for Soil Erosion and Sediment Control Plan Certification for 477 11th Street, Application #1471, Nadav & Maayan Gottesman. File.

Application for Soil Erosion and Sediment Control Plan Certification for 70 Jackson Drive, Application #1472, Doojin Chung, c/o Truman Capital Advisors. File.

Copy of letter from Mr. Steven V. Schuster, to Mr. Daniel Bae regarding 56 and 66 East Madison. We received a Letter of Introduction stating that Mr. Bae was contemplating a building with first floor retail and two second floor residential units at these addresses. This property is located in the R-10 Residential Zone and is this is not a permitted use in this zone. He would require a "Use Variance" to use this property as proposed. Mr. Azzolina explained that Mr. Bae is going to purchase the house that is still there. The other property was purchased by Mr. Feldman. He is the one that is doing the single family home. Mr. Bae's application entailed the two properties. Mr. Feldman wants to build in a week. His application is Application #1470, Elite Developers. This house was already knocked down. This application was revised pursuant to his memo of October 27, 2015, and it is for a single-family home. They did a test pit investigation and discovered a high ground water table in the area. They had to redesign the site to raise the grade so that it would allow them build this home. That is the revised plan that he has. Councilwoman Tsigounis noted that this application was received and the one from Mr. Bae was just a speculation. No application was received for that.

Letter from the County of Bergen, Department of Planning and Engineering, dated November 12, 2015, to Ramapo Developers, LLC, regarding the Final Plat for 177 Sixth Street subdivision, our Application 1463M. This application was reviewed by the Bergen County Planning Board's Subdivision and Site Plan Review Committee at their November 10, 2015 meeting and was granted *conditional* approval as set forth on the enclosed Joint Report. Mr. Azzolina explained that the conditional approval is usually in Section B of the report. He noted that the requirements for approval are a check in the amount of \$100 to cover the Processing Fee, a check in the amount of \$150 to cover the Final Approval Fee and submit the drawings

for signature. He spoke with the engineer and he is doing that today. In this case it is really a formality because it is on a side street and not on a County road. The way the signing works, if a subdivision is a major subdivision, which in Cresskill if you require any variances you are a major subdivision, you then have to submit to the County for their review and approval. If it is on a County road, it is a little more detailed than this type of application, but here they are just looking for a couple of checks.

Subdivision Committee

Councilwoman Tsigounis introduced Application #1473, 254 Concord Street, Shahar Greenberg, which was received on November 13, 2015. It is currently under review.

Report from the Borough Engineer's Office

Mr. Azzolina stated that the applicants for Application #1473, as well as the architect, were present. This is for 254 Concord Street, Shahar Greenberg. He did receive the application. Ms. Stephanie Pantale stepped up to discuss the plans. She noted that it is two houses in from Madison on the right hand side. Mr. Shahar Greenberg, the owner of the property was present and was introduced.

Ms. Pantale noted that the house is currently a Cape Cod that is a 1 ½ story house with a couple of bedrooms upstairs. The property slopes from about two feet in the front yard to about six to seven feet in the backyard so it is an exposed basement. Currently, the side setbacks off the property are 7.6 and 21.9 where the driveway is. Originally in their discussion, they were going to add a garage and go up over the whole thing, but they were still coming seeking variances and they would only have a one-car garage home. Mr. Greenberg decided he wanted a two-car garage home so what they did was, on a 60 foot lot they designed a 40-foot house so they had 10 feet on one side and 10 feet on the other trying to keep the house in the center of the property. This gives a little bit more room to the seven foot side. They are also seeking a building coverage variance. Because of the slope, they have a deck and there is a shed that is also calculated in that number. They are asking for 23.48% instead of 20%. The FAR conforms and they are asking for impervious coverage as well.

Mr. Schuster asked if the shed in the back is going to stay there. Ms. Pantale said that right now they left it in. Mr. Greenberg said that it is in great condition and if it could stay he thinks it would help to minimize the amount of stuff that is outside. Mr. Schuster asked if there are footings there. Ms. Pantale said that she didn't know but it is a pretty substantial structure and it is really in good shape.

Ms. Pantale noted that it will be a four bedroom home, probably a bedroom in the basement, which is definitely a walk-out. It is a very simple plan, very open. There is a bedroom and bathroom in the basement and you walk out under the deck. There is a two-car garage on the right. When you walk in the front you have staircase and a big open space out to the back and a deck. Mr. Shahar noted that when they just started to look at adding a garage it leaves less space to the neighbor on the sides. This looks less convenient to the neighbors and the house needs a major update. It is an old house and it is wet in the basement. They need to do massive work regardless. They are going to live in it. They heard the school system is phenomenal and they have three little girls and have quite a few years ahead of them in the school system.

Mayor Romeo asked if this house is comparable to the ones already built on the street. Ms. Pantale said that it was. It looks proportionate. All the houses in the area are pretty much the same side to side. A lot of these houses had eight feet on one side and 21 feet on the other side without a garage when they were built. A lot of people built garages on the 20 foot side.

Mr. Schuster asked how many square feet the house was. Ms. Pantale noted that the house is around 2,780 square feet. The two side yards will be 10 feet each. It will have a two-car garage.

Mr. Morgan noted that we have to schedule a Public Hearing. He recommended the first meeting in January. Mr. Shahar noted that in order for the girls to start school he already is late getting started. Mayor Romeo said that if Mr. Azzolina can get it reviewed and it is deemed complete by the next meeting, we can schedule the Public Hearing for December 22.

Mr. Azzolina noted that on Application #1471, 477 11th Street, Nadav & Maayan Gottesman, he prepared a completeness memo dated October 27, 2015. The plans have been revised in accordance with his memo. They were actually revised for the last meeting but he didn't provide him with the topographic survey until just recently. He now has the signed original as required by law. However, the Board has not received the plan, except for one plan. Mr. Lavon stated that he left the plans here at the Borough Hall last week, three or four plans. The only thing that changed was the contour of the topo.

Mr. Lavon said that the plans were months ago and nothing has changed. Mr. Azzolina said that the Board has the first plan and then they were revised. The Board never received that plan. Mr. Lavon said he brought it last week and gave it to Susan and to Patty. He thinks he brought four. Mr. Ulshoefer noted that regardless, if you change the plan, the entire Board needs to see the plans. Mr. Lavon said that they weren't changed. Mr. Azzolina stated that he wasn't following. They were changed from the original submittal that everybody has. Then he did the memo that says "X, Y, and Z" needs to be revised. Mr. Lavon said that the architectural haven't changed. Mr. Azzolina noted that he is talking about the site plan. He said at the last meeting, from his perspective, other than the survey, it was complete, but he does not believe that he had submitted, at that time, 15 copies or whatever the checklist requires, so the Board members did not have the revision and still do not have it. It is up to them to determine whether they want to see or not. He is saying it has been revised in accordance with his comments. Mr. Morgan stated that our practice is to have a copy and he wants to stay with that practice and have a copy for every Board member. Mr. Lavon stated again that he delivered more than one. He brought them. He doesn't know where they are. He gave it to Pat and to Susan on Friday. Mr. Morgan suggested that he go back to Susan and ask where they are.

Mayor Romeo asked Paul if based on what he saw, is it complete? Mr. Azzolina stated that the plans have been revised in accordance with all his comments as set forth in his memo. Actually 26 out of 27 comments were completed two weeks ago. The application just did not give him the topographic survey that they based their plan on until this week. That was the only thing that was outstanding on his end. He has had all the plans. It is really just a question of submittals and distributions. No variances are required on this application.

Mayor Romeo instructed Mr. Lavon to go to Patti and find out where the plans are and whatever is missing to get everybody a copy, get it and bring it in to her and he will have her mail it to everybody so they can see it. At the next meeting we will approve it. Mr. Lavon stated that he has been waiting for months for the plans. They were supposed to be approved at the last meeting and he was away and he wasn't able to attend. He wanted to know if Mr. Azzolina could just approve it. Councilwoman Tsigounis stated that we can't. We all need to have a copy of them. Mr. Lavon noted that that was fine but how can he control that when he deposited the plans. Councilwoman Tsigounis explained that he needs to do it just like the Mayor said. Make sure you get the proper amounts in. There probably weren't 16 of them otherwise we would have all had one.

Mr. Azzolina noted that on Application #1470, 66 E. Madison Avenue, Elite Developers, LLC, which he mentioned earlier in the meeting, he prepared a completeness memo dated October 27, 2015. He identified certain deficiencies. The plans were revised to correct those deficiencies as well as revise the grading to bring up the site approximately 2 ½ feet. This is for a single-family home that doesn't require any variances. It complies with the FAR. Once again, he received the plan but doesn't believe the Board has received the plan. This is the site that when they were doing the demo, they dug a hole to see what the water condition was. Mr. Azzolina witnessed it. The water was about three feet below the existing grade in the rear yard, which was going to then be at or about their basement floor elevation as originally proposed. In order to not have a constantly wet basement, they elected to revise the grading plan to construct a small 2 ½ foot high retaining wall along the perimeter of the site, basically, along the sides

and rear to elevate the ground about 2 ½ feet. From that elevation, they will construct the dwelling. The plans as presented, which are dated July 22 and revised November 2, 2015, are acceptable to him. Mr. Azzolina recommends approval once the applicant submits the requisite number of copies to the Board.

Mr. Azzolina noted that on Application #1472, 70 Jackson Drive, Doojin Chung, the application as presented originally is complete. The Board received this plan at the last meeting. This is a knockdown. There has been significant tree removal, 34 trees. It is a substantial house. No variances are required. He took down every tree in the footprint and the large driveway, patio and pool area. Mr. Ulshoefer noted that he has been up there twice. There is a vacant lot with a mailbox that says #62. The house next to it further up the hill is #70. Somebody knocked that house down. Mr. Azzolina stated that the house at 62 was knocked down. We did not receive plans for that and we don't have to receive plans if there is no proposal to build and currently there is no proposal to build.

Mr. Azzolina noted that at 70 Jackson Drive they did not cut any trees down in the right-of-way. Mayor Romeo thinks that they did the right thing and only took down trees in the footprint of the house. Mr. Azzolina agreed and said that they took them down in the areas of the improvements. The plans he is looking at are dated September 18 and revised November 3, 2015, and he recommends that the Board approve them at this time. Mayor Romeo made a motion to approve, seconded by Mr. Calder. All present were in favor. Motion approved. Two copies of the plan were signed, along with the approval memo. One copy to the Building Department, one copy to the file.

Mr. Azzolina noted that Application #1473, 254 Concord Street, Shahar Greenberg, is currently under review. Mr. Ulshoefer asked if Mr. Azzolina could send the Board members information before the meeting what his thoughts are so they don't come to the meeting and have to read the report at the meeting. Mr. Azzolina noted that it is going to be a function of his schedule. If he gets to it with enough time he can do that. If he doesn't have any comments, he doesn't write anything. He will try but he doesn't always have the time to do that. Mr. Azzolina explained that they work beyond the limits of the Municipal Land Use Law which allows him 45 days in which to review an application. He does things in two weeks. He tries to be as accommodating as possible. He will try to e-mail the reports if time permits. Otherwise, he can go through the reports point-by-point at the meeting.

Old Business

Mr. Ulshoefer wants to understand 66 E. Madison. He questioned whether one person owned both pieces of property or if two different people owned the property. Mr. Azzolina explained that he doesn't even know if we have an application on the second one, but he knows we have an application for the first one. He believes that someone came in and presented a plan to the Construction Official but he doesn't believe there is an actual plan for the second. Mr. Feldman owns 66 E. Madison outright for about a month now.

New Business

None.

Other Business

None.

Motion was made by Mr. Ulshoefer to adjourn the meeting at 8:23 PM, seconded by Mr. Calder. All present were in favor. Motion approved.

The next four regular Planning Board meetings are scheduled for December 8, December 22, 2015, January 12, and January 26, 2016, at 7:30 PM in the Borough Hall.

Respectfully submitted,

Carolyn M. Petillo
Recording Secretary