

MINUTES

CRESSKILL PLANNING BOARD

NOVEMBER 26, 2013

Mr. Galdi 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, Ms. Bauer, Mr. Galdi, Mr. Morgan, Mr. Vieni, Mr. Calder and Mr. Ulshoefer. Also present were Mr. Azzolina, Borough Engineer, and Mr. Steven Schuster, Board Attorney.

Mayor Romeo made a motion to approve the minutes of the November 12, 2013, meeting. The motion was seconded by Mr. Morgan. All present were in favor of the motion. Motion approved.

Correspondence

No correspondence.

Subdivision Committee

Councilwoman Tsigounis reported that a revised plan was received for Application #1435, 182 Madison Avenue, Ms. Jane Lee, on November 13, 2013. It is currently under review.

Report from the Borough Engineer's Office

Mr. Azzolina stated that today he received an e-mail regarding Application #1435 from the County Planner regarding the inlet in Madison Avenue. The County position is that that inlet is not critical to their system so they are not demanding that it be installed, but that inlet was utilized for an overflow connection for the seepage pits on the original subdivision design and this plan purports to carry that plan out. It would be his recommendation that they do provide that connection. It could be a manhole instead of an inlet which might be somewhat less costly for them to install, but in order for them to have a safety valve to the drainage system which is even more critical now, since they have a garage under type of design, you really don't want any backups into the garage or on to the neighboring property. That was also something that was discussed five or six years ago when the original subdivision was done. This property naturally grades to the south and east so that is where the seepage pits will be located. The only other overflow device would be to have an open grate on the top of the seepage pits and when the tanks fill up the water percolates out of the top and flows on to the neighbor's property, which is not a good thing. Even though it is going to be costly for this applicant to install that inlet or manhole in the County right-of-way, he thinks it should be done.

Mr. Galdi thinks we should ask for that and have it done to alleviate further problems. Everybody was in agreement. Councilwoman Tsigounis asked what the cost would be. Mr. Azzolina noted that it would

probably have to involve the police for a day so they are looking at \$5,000-\$8,000, by the time all is said and done, plus they have to pay a connection fee to the County, which is about \$400. Mr. Galdi stated that it is worth it and too dangerous not to have it. Mr. Azzolina stated that he hasn't reviewed the other aspects of the proposal because he was waiting for this and he just received this today. He will try to coordinate everything with their engineer for the next meeting to hopefully get the plan in position to be approved by the Board at that time. He will discuss with them the stairway landing in the backyard and hopefully get that resolved as well. Mr. Azzolina will make it known to them, when he talks to Kessner that even though the County is not requiring it, we are.

Mr. Azzolina stated that Application #1439, Katznelson, 289 Brookside Avenue, is incomplete as presented. He prepared a memorandum of items that need to be addressed and distributed them to the Board. He has not spoken with them yet. There are a couple issues to discuss with the Board. It is a bit of an unusual application. He thinks they are not demolishing the house entirely. They are maintaining portions of the existing foundation and constructing on top of that and adding to it. It is an odd shaped lot. The side lot lines are not parallel. It is kind of a pie shaped lot. Basically, they applied the sliding scale standard to it, but they incorrectly applied it. When you have a situation like this, you have to take the width of the lot at the front of the house and at the back of the house. You average out those two values and that is your lot width, which is what the parameter in our code is. They used simply the frontage of 71.55, which actually works to their favor with respect to the FAR. Theoretically, the house could have been a little bit bigger, but the impervious coverage goes down once you refigure it, so theoretically he would be over based on his analysis just scaling the values here. He will have to recalculate them to get an exact value. They will have to refine that to come up with a proper value.

They are showing it to be conforming, but it is incorrectly based on the width of 71.55. When you are at the back portion of the lot, it is actually greater than that, but your impervious coverage steps down when you are dealing with a bigger property. The driveway has grass in the middle which doesn't make a whole lot of sense to him. Another thing that doesn't make a whole lot of sense is there is actually a little bit of a bend in the foundation to maintain the 30 foot rear yard setback. You have to look for it but they are showing a 10" offset basically. That is one of the points in his memo, to make sure it gets built properly, they need to show setbacks in three places, this way, when they lay out the structure, the bend point is obvious and it doesn't get built in a straight alignment where they would need a rear yard setback variance.

Mr. Galdi noted that we are not supposed to interpret what we think they are going to build. It should be on the plans. Councilwoman Tsigounis asked if they shouldn't just go for a 10" variance instead of misaligning everything. Mr. Azzolina agrees that theoretically they could request a variance, but he is assuming that they are trying not to request variances looking at the pervious strip in the middle of the driveway and looking at this design. The other issue with the plan is it is an architect's site plan, which is different than an engineering site plan which is typically what our code requires. There is no topography shown on this drawing. He has no idea of the relative elevations, the floor elevations with respect to the ground elevations and there are some discrepancies relative to the area.

Mayor Romeo suggested sending it back as incomplete. Mr. Azzolina noted that that is the purpose of the memo. It tells them the 22 items that need to be addressed. He stated that the dimensions on the second floor are not the same as the dimensions on the first floor. Mr. Morgan asked Mr. Azzolina if he was spending a lot more time on this type of plan than usual because he was interpreting the code for them. He wanted to know why we couldn't just send the plan back as incomplete and let them interpret the code. Mr. Azzolina noted that he was not interpreting the code for them, he was just telling them what was wrong with the plan and if he didn't set forth the 22 items, it would go on and on and on forever and his bill would be \$10,000 and they would be complaining. Mr. Galdi thinks that there shouldn't be that many changes that have to be done with the plan and in the future if they submit an incomplete plan, you are just going to send it back.

Resolution for Application #1431, 79 Cedar Street, Avi Lavon, was introduced by Councilwoman Tsigounis, seconded by Mayor Romeo with correction on page two. On Roll Call: Mayor Romeo, Councilwoman Tsigounis and Mr. Galdi voted yes. Mr. Vaccaro and Mrs. Schultz were absent. Motion approved. The original resolution shall become a permanent part of these minutes.

Resolution for Applications #1437 and #1438, 34 Merrifield Way, Lots 17.01 and 17.02, Kishkush LLC, was introduced by Mr. Morgan and seconded by Mr. Ulshoefer. On Roll Call: Ms. Bauer, Mr. Galdi, Mr. Morgan Mr. Vieni and Mr. Ulshoefer all voted yes. Mr. Vaccaro and Mrs. Schultz were absent. Motion approved. The original resolutions shall become a permanent parts of these minutes.

Old Business

None.

New Business

None.

Other Business

None.

Motion was made by Mr. Galdi to adjourn the meeting at 8:00 PM, seconded by Mr. Calder. All present were in favor. Motion approved.

The next four regular Planning Board meetings are scheduled for December 10, 2013, January 14, and January 28, 2014, at 7:30 PM in the Borough Hall.

Respectfully submitted,

Carolyn M. Petillo
Recording Secretary