

MINUTES

CRESSKILL PLANNING BOARD

DECEMBER 22, 2015

Mr. Morgan opened the meeting at 7:35 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, Mrs. Schultz, Mr. Ulshoefer, and Mr. Durakis. Mr. Moss arrived at 7:45 PM. Also present were Mr. Azzolina, Borough Engineer, and Mr. Steven Schuster, Board Attorney.

Mr. Ulshoefer made a motion to approve the minutes of the December 8, 2015, meeting. The motion was seconded by Mr. Durakis. All present were in favor of the motion. Motion approved.

Correspondence

Application for Soil Erosion and Sediment Control Plan Certification for 254 Concord Street, Shahar Greenberg, Application #1473. File.

Subdivision Committee

Councilwoman Tsigounis had nothing to report.

Report from the Borough Engineer's Office

Mr. Azzolina had the report for tonight's Public Hearing for Application #1473, 254 Concord Street, Shahar Greenberg.

Old Business

None.

Public Hearing – Application #1473 – 254 Concord Street

Mr. Shahar Greenberg presented Mr. Schuster with his notices of mailing and publication, and a copy of the letter that was sent out. Mr. Shahar Greenberg, 254 Concord Street, Cresskill was sworn in by Mr. Schuster. Mr. Greenberg noted that he was here for the Public Hearing representing himself. He has provided the final plans and had his engineer here for any questions the Board may have. He noticed all 27 neighbors within 200 feet that

there will be a Public Hearing today to discuss the three variances he is requesting and to get the Board's blessing and approval to move forward.

Mayor Romeo stated that they were tearing down the house and building a new one. He asked about the shed in the back. Mr. Greenberg noted that it is his preference that the shed stays. Mr. Ulshoefer asked about the patio and stone grill. He has been there a couple times and didn't measure it but it is not rectangular. He asked what was going to happen with that. Mr. Greenberg noted that it is all coming out. Everything that is there right now, aside from the shed that he is hoping he can keep, goes out.

Mayor Romeo asked how far he was from each property line now. Mr. Greenberg noted that on the north he is between 7 and 8 feet and on the south he is 21.9 feet. He will increase the north side to 10 feet and decrease the south side to 10 feet. Mayor Romeo asked how far the neighbor's house was from the property line. Mr. Greenberg noted that the house is 8 feet and 2½ inches from the property line.

The building coverage is about 3.48% over. Mayor Romeo asked Councilwoman Tsigounis if this was acceptable. Councilwoman Tsigounis didn't know if they looked at that issue.

Mr. Tom Skrable, 65 Ramapo Valley Road, Mahwah, the engineer for the applicant, was present and was sworn in by Mr. Schuster. He is presently licensed in New Jersey and has been licensed since 1992. He has testified before Boards in this borough before. He represents the Borough of Old Tappan and he has represented other municipalities in the past. His license is presently in good standing. He was accepted as an expert engineer.

Mr. Skrable marked the plan as Exhibit A1 and it was called the Soil Erosion and Sediment Control Site Plan. Mr. Skrable noted that the allowable building coverage in the zone is 20%. They are at 23.48%. The code is a little bit unique in that the deck is included in the building coverage, but it is not included in the impervious coverage. Just because of the way the lot slopes, the house works much better with a deck, so they are showing a proposed deck on the plan. That is included in the building coverage. That 420 square feet does put them over the 20% coverage. If you just look at the dwelling, they are at 17.6%. They do meet the FAR requirements. In his opinion, the house is reasonably sized, appropriately sized, for the neighborhood. A lot of the problems with the calculations on this particular lot have to do with the width and the depth. They are only 60 feet in width, which is the primary reason they are asking for two side yard variances. If they were to provide the full side yard requirement, they would only have a 25-foot-wide house, which is just not practical to build.

The other area requirement which comes into play as far as impervious coverage goes is you can only use the first 125 feet of the lot. That bumps their impervious coverage as well. They could have gone with a patio, for example, rather than the deck, but they would have been over on impervious coverage as opposed to building coverage. It was kind of a lesser of two evils situation and the deck clearly works better as far as the house goes. It is not impervious coverage. It doesn't create runoff issues so they thought that was the better option. The deck is on the first floor but it goes out and is actually elevated.

Councilwoman Tsigounis stated that they answered the question. She does remember that this was brought up and it was because of the deck that it went over. Mr. Skrable noted that the only impervious coverage that they are showing in the back is a small landing at the rear door underneath. There is no patio underneath the deck.

Mr. Morgan opened the meeting to the public. Mr. Tony Constantino, 250 Concord Street, Cresskill, wished to be heard and was sworn in by Mr. Schuster. Mr. Constantino noted that he sees what is being built around on just Concord alone and he has a dog and his concern is that with his young kids that all the building material that is going to be going on in that house is going to be parking in front of his house. He will not accept that. If you look right down the block now, they built that new house down there and there has been trucks there every day, there are dumpsters out there, and they finally cleared it up because it is finally done. That is his biggest concern. The dumpster is going to be right on Concord Street. It is not going to be on the guy's land. You can't have the dumpster in the middle of the street. Mayor Romeo understands what he is saying because he is so close to Madison Avenue. When you make that turn you may run into the trucks. He is sure they would accommodate us by putting the dumpster on the front lawn. As far as the trucks, there is going to be some busyness there for about 60-90 days, but I'm sure he can make some arrangements to park them a little bit further down the block because you are so close to the corner and it is kind of a blind spot there.

Mr. Skrable stated that because of the shape of the house, there is an indent in the house from a design standpoint and they do have room for a dumpster in the front in the northwest corner of the lot. His applicant is willing to keep the dumpster on the property. Mayor Romeo noted that as far as the contractors, maybe they can unload and then move the trucks because it is a narrow street and an older street, and as they come around Madison it will get a little crazy. Mayor Romeo stated that they are probably better parking down the street across the street from the house. Mr. Greenberg noted that building can sometimes be unpleasant and his whole goal is to make sure that it is as pleasant as he possibly can accommodate. Mr. Constantino stated that Mr. Greenberg will see all the kids that are out on the front and in the street playing, which is very rare now-a-days, but you will see them out there and they have been playing there for years. That is his only concern. Mr. Greenberg said he will do the best he possibly can.

Mayor Romeo stated that Mr. Greenberg agreed to put the dumpster on the lawn and to get all the subcontractors to park a little bit further away on the other side of the street to accommodate the children. He knows what Mr. Constantino is talking about because when you pull around Madison, there are accidents just waiting to happen there. Mr. Greenberg said he will do the best he can. He listed his phone number on the notices that were sent out so people can call him.

Mr. Durakis made a motion to close the meeting to the public. Motion seconded by Mr. Ulshoefer. All present were in favor. Motion approved.

Mr. Skrable explained that they are requesting a waiver for the survey of properties within 200 feet, which the engineer mentioned in his review letter. He is not sure if the Board needs to do anything formal on that. Mr. Azzolina stated that it is typically granted in connection with these types of applications. The Board has no problem with this.

Mr. Ulshoefer noted that out of the 60 feet they are using 40 feet for the house. If they took a foot off of that, they wouldn't need a variance for the size of the house, they would only need variances for the side yards. So if they shortened up a half a foot on either side of the house, then they would be in compliance of the 20%. Mr. Skrable can't really testify to the architectural design of the house. He thinks, at least informally, Ms. Pantale has gone through that with the Board to some extent. Mr. Greenberg talked to Ms. Pantale about it and they talked very thoroughly and the challenges are that it would be a one-car garage. It would come out of the kitchen and garage. If they do have the ability to squeeze a two-car garage into that space without having to park outside, that would be tremendous to not have more stuff outside. They actually went through that process and they came here to ask for that permission.

Mayor Romeo asked Mr. Azzolina if the width of this house is pretty common. Mr. Azzolina noted that it is on the smaller scale for the 60 foot properties. These types of houses are usually 50 feet wide on a larger property but they don't have that luxury here so they scaled it down. Mr. Azzolina noted that his comments are set forth in his report to the Board dated December 22, 2015. Just for the record, the lot area of 9,939 as opposed to 10,000 and the lot frontage of 60.2 feet as opposed to 100 are existing non-conformities. The minimum side yards were discussed. The aggregate side yard has been discussed. The building coverage has been discussed. We talked about the waiver request. Some minor site plan revisions are required and set forth on Page 5, No. V, Items 2A through 2H. Under Item #3, there are some comments on storm water management. The roof drainage system has been proposed and he finds that adequate for the construction proposed. He is assuming that the applicant intends to use the existing building sewer. He requires that an inspection of the pipeline be done to ensure that it is still in good condition and suitable for reuse. The curb along the entire frontage should be removed and replaced as part of this project. He also notes that for the neighbor to south, his utilities go over this property, so he will need to coordinate with the respective utility companies to relocate them onto his property. Mr. Skrable noted that it is no problem to comply.

Mr. Constantino had a question about the utilities. He wanted to know how they were going to bring the power line that is on the opposite side of the street to his house. Mr. Azzolina stated that that it is up to the utility company how they want handle that. They may want to put another pole in or something. He doesn't know, but they do not want to have his wires crossing another property. Mr. Constantino stated that they will not put another pole on the adjacent side of the street from the other poles. Mr. Azzolina noted that they will not keep the wires running across his neighbor's property. Once this application is submitted for redevelopment, they will tell them how it will be done. Mr. Constantino was worried about being without service. Mr. Azzolina said that he may be

for a half an hour or so, but that is not his call, that is Rockland Electric's call. They will tell him, via the applicant, how they will be handled and when that will be handled, with his participation. It can be coordinated so there is little or no impact.

Mr. Schuster asked if there was any benefit to the public for having this application done this way. Mr. Skrable noted that the primary benefits are aesthetics. They are getting a brand new home, more in keeping with the neighborhood as far as style and size of the home. One thing he didn't touch on earlier is they are providing a drainage system for this lot where there is currently none. They are taking all the runoff from the roof and putting it in an underground system so that water will not runoff onto adjacent properties. As part of those calculations, they didn't take any net credit for the house that is there now. That is going to be a big benefit actually to the surrounding neighbors as far as stormwater management is concerned.

Mr. Schuster asked if there was any detriment to the zone plan or the zone ordinance. Mr. Skrable stated that there is none that he sees. Mr. Schuster asked if there were any special reasons for this application to move forward. Mr. Skrable noted that he is not a planner, but it is primarily due to the shape and narrowness of the lot and the depth of the lot which is creating the variance situation.

Mr. Calder asked Mr. Azzolina if he agreed that the deck was about 6½% of the 23½% building coverage. Mr. Azzolina noted that the coverage calculations are correct. The 3.4% overage is that 420 square feet. Mr. Skrable stated that when he gave him the 17%, that was just the house. It didn't include the shed. The deck is about 4½%. Mr. Azzolina noted that the numbers on the plan are correct.

Mr. Calder made a motion to approve, seconded by Mrs. Schultz. On Roll Call: Mayor Romeo, Councilwoman Tsigounis, Ms. Bauer, Mr. Calder, Mr. Morgan, Mrs. Schultz, Mr. Ulshoefer, Mr. Moss and Mr. Durakis all voted yes. Motion approved.

New Business

None.

Other Business

None.

Motion was made by Mr. Ulshoefer to adjourn the meeting at 8:08 PM, seconded by Mr. Calder. All present were in favor. Motion approved.

The next four regular Planning Board meetings are scheduled for January 12, January 26, February 9, and February 23, 2016, at 7:30 PM in the Borough Hall.

Respectfully submitted,

Carolyn M. Petillo
Recording Secretary