

MINUTES

CRESSKILL PLANNING BOARD

DECEMBER 22, 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, 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

Letter of Introduction from Mr. Edward Rossi, Construction Official, sending Mr. Ross to this Board for approval. He would like to move his School of Rock from Tenafly to Cresskill at 450 Piermont Road. This is the building next to CVS (the old Suburbanite building). Mr. Ross was present. He noted that it is the bump-out part where the dance studio was. They tried to open there five or six years ago, but he couldn't come to terms with them. They are on County Road in Tenafly right now. This will be a great business for the town. He has lived in Cresskill for 15 years. He lives on Eisenhower Drive. Their lease term is up in Tenafly and they are moving to Cresskill. They need a slightly smaller space. The School of Rock has almost 200 schools now. They sold a business about five years ago and he bought this as a franchise. He assumed the lease in Tenafly, but he knew he was going to move it because it was originally built to house training and other things and they just didn't need as much space. The other reason for moving is that there is no parking in Tenafly. The piece they are leasing is 3,000 square feet compared to 4,500 square feet. They have already done a drawing. They just need it fitted out to individual rooms. He thinks he could be here for 20 years.

Mr. Ross showed pictures of the building as it appears now. He noted that no one has ever invested in any measurable way to tell the world that they are operating there. Even now, the gym has a banner hanging. He doesn't know how you spend the money on rent and overhead and run a business and not sort of invest in something that presents your brand reasonably. He showed what they currently look like in Tenafly. He signed a lease and he is looking to get a building permit to build the walls. The gym is still there and the dance studio has left. Mayor Romeo asked where they would park. Mr. Ross stated that most of his business is a drop-off, but they have plenty of parking. He doesn't know how well Energy Fitness is doing.

Mr. Schuster asked how many staff they will have. Mr. Ross noted that every student has a private lesson so it varies. They will build seven lesson rooms so at most there will be seven students. He said it is primarily rock ensemble but they do teach horns as well. The way the program works is the kids take lessons and they study a body of music and play a concert every three months, largely classic rock. They play on stages and they perform. There are no performances there. They play at Mexically Live in Teaneck and some other area venues. Originally when he wanted to lease the whole building or buy it years ago, he wanted to build and do concerts in the large part. The only thing they sell is sticks and

strings and small music accessories. They don't sell instruments because that is a big box retail deal and it is hard to compete and they don't have the space.

Mr. Moss asked about the signs in his pictures. Mr. Ross knows there is a process to propose signs, but theoretically what he would propose is on the brick facing on the north side and south side to put up signage. Mr. Moss asked if the tree would obscure that. Mr. Ross said it would completely and they would have to remove the tree. He doesn't know if he would need approval for that, but the landlord has already said to take it out. The landlord is Naperschat. He gave him full blessing to remove the tree to see the signage. He has been six years in business. They have too much expenses in Tenafly. He thinks they will be here for a long time. He thinks it is good for the town. They bring consumers from ten different towns here once a week to study. The hours are after school from 3:30 to 8:00 and on Saturdays.

Mayor Romeo is concerned about the signs. He told him not to put any signs or awnings up until he comes back with a proposal. Mr. Ross said he would never make that investment without getting an approval. Mr. Morgan is concerned with the tree. Mayor Romeo said he is going to have to have Mr. Terhune go look at it and it will be a process. Mr. Ross said he is aware that it is a process. He noted that he had to go for a variance in Tenafly for the sign. He walked in and it took about eight seconds because they bring affluent consumers from all over Bergen County to the town. He needed their help because he needed to be successful.

Mr. Ross stated that he has a plan and has a GC. He has already paid him. He figures it will take about eight weeks to build it out. He hopes to move in by March. He will wind down in Tenafly by the end of March and will begin teaching here in March. Mr. Durakis asked if they tie in at all with the music program at the Cresskill schools. Mr. Ross said that the kids have played at concerts at the school and all over. They have done a lot of things here. Mr. Calder made a motion to approve, seconded by Mr. Moss. All present were in favor. Motion approved. Letter of approval sent to Mr. Ross with copies to Ms. Barbara Nasuto, Mr. Rossi, the Fire Department, the Police Department and the Health Department.

Notice from the Borough of Alpine regarding the change in the Zoning Ordinances. They are changing the definition of building coverage. They are also amending the ordinance so that rock hammering other than emergency septic work is prohibited on Saturdays, Sundays and legal holidays. File.

Notice from the Bergen County Department of Planning and Engineering regarding Ramapo Developers, LLC, 117 6th Street, Application #1463M. This application was reviewed and given final approval by the Bergen County Planning Board on November 23, 2015. File.

Subdivision Committee

Revised plans for Application #1473, 254 Concord Street, Shahar Greenberg, were received on December 8, 2015 and were distributed. Also, revised plans for Application #1470, 66 E. Madison Avenue, Elite Developers LLC, were received on December 1, 2015 and were distributed.

Report from the Borough Engineer's Office

Mr. Azzolina noted that Application #1470, Elite Developers, 66 E. Madison Avenue, was revised in accordance with his comments in his memo dated October 27, 2015. Since then, they made a further revision to the plans, which are the plans dated November 25, 2015. They had done some exploratory test hole investigations on the property and discovered a high ground water condition. In order to address that, they are proposing to construct a low-height retaining wall along the rear and side yard area of the existing lot to bring the grade up about two-and-a-half feet and changed the floor elevations accordingly and they relocated the storm-water management system to the southeast corner of the property. He

reviewed the plans and find them to be acceptable and they address all his comments and he recommends that the Board approve the plans at this time.

Mayor Romeo asked Mr. Azzolina to explain again what they are doing. Mr. Azzolina explained that they are raising the grade about 2 ½ feet (30") in the rear and side yard areas. He has a low-height retaining wall along the perimeter. There is a basement. Mayor Romeo asked how that was going to look. Mr. Azzolina doesn't think it is going to be a problem. The house is going to be 28'. It is measured from the proposed elevation. He is leveling the property, or elevating the property in order to get out of the water. Mr. Morgan asked if they are going to put 2 ½ feet of dirt on this property. Mr. Azzolina stated that primarily in the rear and center portion of the site. The front yard is essentially at existing grade. You would only notice it if you went to the back and sides. The run off from the roof area is directed to the seepage pit system so there is really no problem with run off.

Mayor Romeo asked where else we have done this. Mr. Azzolina noted that we really haven't had much in the way of development in this area where we have a known ground water condition. The houses to the east they didn't elevate, they went into the ground and they had problems with that design. The house that Vitale built on the corner, he did the same thing without retaining walls. There he elevated the structure so that was done with fill without benefit of retaining walls. You can do it by just grading the property, but here you have a very small lot so he doesn't have that ability to grade out to create a platform so he has to accomplish it with retaining walls. They are generally aesthetically pleasing. They are made out of precast concrete segmental units.

Mayor Romeo is concerned with being in the Legion parking lot and looking at a 2 ½ foot wall. Mr. Feldman explained that the Legion parking lot is much higher than this property so they are going to be even with the parking lot. Mr. Azzolina agreed that that would be the case. This lot is lower than the Legion lot by about the same 2 ½ feet. The wall will be on three sides of the property. You will only see the cap of the wall or maybe one course of the wall. Mr. Ulshoefer noted that the property doesn't look like it is that much lower. The house is set back 25 feet or even more from the street.

Mayor Romeo noted that if Mr. Azzolina is not upset with it that he is OK with it. Mr. Azzolina is OK with it. He noted that utilizing the topographic map that the applicant is providing, he doesn't show a complete topo of the Legion property, but there is an elevation of 102 in the back corner. The existing property, there is a 100 elevation contour that basically goes through the middle of his property. There is the two foot difference in elevation. It slants back from the front to the back.

Mayor Romeo asked what the front of the house was going to look like. Mr. Feldman noted that there is going to be three steps from the driveway, a small walk and another three or four steps to get into the house instead of a big long staircase. Mayor Romeo asked how far they dug before they hit water. They said they went down about four feet.

Mr. Calder made a motion to approve. Mr. Ulshoefer asked if once they vote and if it is approved, and it is not quite the way we thought it was going to be, wouldn't it be too late anyway. Mayor Romeo thinks that the gentleman would come back and we would have a discussion. Mr. Feldman said he would but thinks you will be happy with the result. They hit water on the Campoli lot as well and that is why they raised the house. Mr. Durakis seconded the motion. All present were in favor. Motion approved. Two copies of the plan were signed. One copy to the Building Department with approval memo, one copy to the file.

Application #1471, 477 11th Street, Nadav & Maayan Gottesman. Mr. Avi Lavon was present at the last meeting. Mr. Azzolina indicated to the Board that he had reviewed the plans that he had received but the Board had not received the plans. He has since submitted additional copies for everybody's review. He, once again, recommends that the Board approve the plans at this time. The site plan is revised November 3, 2015. Mr. Calder made a motion to approve, seconded by Mr. Ulshoefer. All present were in favor. Motion approved. Two copies of the plan were signed. One copy to the Building Department with approval memo, one copy to the file.

Mr. Azzolina noted that he reviewed the plans for Application #1473, 254 Concord Street, Shahar Greenberg. He reviewed them for completeness and has found them to be substantially complete such that the Board can schedule a Public Hearing on the application for December 22. He reviewed the plans as well as the architectural plans. He noted a slight discrepancy in the areas indicated on the original architectural drawings. He asked the architect to revise the plans which are the plans that the Board has. The corrections are the elevations from the first floor to the ridge as well as the floor elevations on the last sheet. There are some other minor issues that can be resolved upon completion of the hearing relative to details on the plan that do not in any impact the review of the plans. He has some questions for the applicant, who was present.

Mr. Azzolina noted that he is seeking a side yard variance, combined side yard variance as well as building coverage and impervious coverage. The house is just under 28 feet and has four bedrooms and 3 ½ baths. Mr. Azzolina asked Mr. Shahar if he was building it personally or as AP Builders LLC. Mr. Shahar noted that he is the owner with his wife. AP Builders is the builder. Mayor Romeo asked what the existing side yards are. Mr. Azzolina noted that they are approximately 7 feet on the north side and 21 feet on the south side.

Mr. Azzolina asked Mr. Shahar what was underneath the deck. Mr. Shahar noted that there was nothing under the deck. Mr. Azzolina noted that he believes the impervious coverage is overstated then because decks do not count for impervious coverage, but they do count for building coverage. He is going to be above what is permitted but not to the extent that they have listed. The way it is presented, he almost assumed they had some kind of patio structure under the deck. If they are just putting a pad at the door, that will bring the impervious number closer to compliance.

Mr. Azzolina asked about the very large shed that complies with all the setbacks. Setbacks are not shown but it scales that it complies in all respects. It is a large shed so if impervious coverage is an issue, there is a lot of area right there. It is 14 x 10 feet or 140 square feet of area. The shed is on kind of a paver block or whatever material they had left over. It is not on a concrete slab.

Mr. Morgan asked Mr. Shahar if he was going to be all set for a Public Hearing on December 22. Mr. Shahar said he would and just needed to know if all the variances are correct. Mr. Azzolina noted that the variances are correct. There is only one thing that he believes is a waiver in our code relative to the driveway location. The offset dimension has a small turnaround area located along the southerly boundary. It is not dimensioned, there is no offset dimension indicated. It scales approximately seven feet. We have a section in our code that says driveways shall not be located closer than ten feet to a property line. It has been called variances, but he doesn't believe that is proper in that that requirement is not in our zoning ordinance, it is in our site plan detail. That, to him, makes it a waiver. He would advertise it as seeking a waiver unless he is either proposing to not construct that turnaround area or, if they are seeking that waiver, then they should so note that waiver. The builder said he is almost positive this is not going to happen. Mr. Azzolina noted that if that were not there, that would, once again, reduce the impervious coverage.

Mr. Morgan stated that the Public Hearing will be scheduled for December 22, 2015.

Old Business

None.

New Business

None.

Other Business

None.

Motion was made by Mr. Ulshoefer to adjourn the meeting at 8:22 PM, seconded by Mr. Calder. All present were in favor. Motion approved.

The next four regular Planning Board meetings are scheduled for December 22, 2015, January 12, January 26, and February 9, 2016, at 7:30 PM in the Borough Hall.

Respectfully submitted,

Carolyn M. Petillo
Recording Secretary