

# MINUTES

## CRESSKILL PLANNING BOARD

FEBRUARY 14, 2012

Mr. Galdi opened the meeting at 7:41 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 and Mrs. Schultz. Also present were Mr. Paul Azzolina, Borough Engineer, and Mr. Steven Schuster, Board Attorney.

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Mr. Morgan made a motion to approve the minutes of the January 24, 2012, meeting. The motion was seconded by Mrs. Schultz. All present were in favor of the motion. Motion approved.

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### Correspondence

Pamphlet from Rutgers regarding their continuing studies seminars. File.

Copy of letter from the County of Bergen, Department of Planning and Economic Development, dated January 27, 2012, send to Paul Abrams, of Abrams & McKeever, LLC, stating that the Professional Building at 92 Union Avenue has been given final approval by the Bergen County Planning Board on January 26, 2012. File.

Application for Soil Erosion and Sediment Control Plan Certification for 450 11<sup>th</sup> Street, Martin Lucibello File.

Letter from Julie Herbert, Senior Hydrogeologist, Whitman Corporate Headquarters, regarding 462 and 470 Knickerbocker Road, the former Exxon Station and Hungry Peddler. Ms. Herbert is conducting an assessment of this property and is interested in reviewing municipal files. Copy to Mr. Schuster. File.

Vouchers from Hakim Associates in the amounts of \$650 for Borough Planning Consulting from October 1, 2011 to January 31, 2012; and \$2,405 for the Environmental Resource Inventory for the period January 1, 2012 to January 31, 2012. Councilwoman Tsigounis stated that she thought we paid him up to what we agreed to pay him for the ERI. Mayor Romeo noted that they received a grant and we were matching it. He has spent the grant money and our match. Both vouchers will be tabled. Vouchers will be given to Ms. Nasuto for discussion at the Mayor and Council meeting.

Letter of Introduction from Mr. Edward M. Rossi, Construction Official, dated February 2, 2012, sending Mr. Henry Cho, attorney for the new tenant, Grace & Love Church, who wishes to occupy the space at 50 Piermont Road. They are a young congregation with about 60 members. They are growing and need a larger location to gather in. They currently meet at a member's home. No one was present.

Letter of Introduction from Mr. Edward M. Rossi, Construction Official, dated February 7, 2012, sending Mr. Steven Mitchell to this Board for approval. He wishes to open a one-on-one personal training facility with small group classes, using the existing floor plan at 50 Piermont Road. There will be athletic training and small athletic training groups. The name of the business will be Energy. Mr. Mitchell was present.

He noted that the space that faces east is 4,910 square feet and the space on the other side is approximately 3,100 square feet. They are looking to occupy the 4,910 square feet. It is in the back of the building. It will be personal training and small group classes and small athletic training programs. He will have approximately 6-8 trainers at any one time. There is a big parking lot back there. He is keeping the floor plan as is, just a couple of partition walls that he drafted on to an architectural sketch and maybe implementing some electrical outlets. There is an upstairs where there will be just some stationary bikes and have a little exercise program in there. This will be group classes and private one-on-one training.

The group classes would be no more than 15-20 individuals. There are 45 parking spaces on the whole site. He would need about 30 spaces. He will be using about two-thirds of the total space of the building and about two-thirds of the total parking on the peak times. He will be open seven days a week, 7:00 AM to 9:00 PM, Monday-Thursday, 7:00 AM – 8:00 PM on Friday, 8:00 AM – 4:00 PM on Saturday and 9:00 AM – 3:00 PM on Sunday. There are facilities for both men and women.

Mayor Romeo asked about the church that wants to go in the front. Mr. Mitchell noted that the church is really not in the picture at this point. He has pretty much secured the whole building. He will have the lease for the whole building. He was informed that he has to go to the Building Department to get approval on the signs. There are showers in the building. Mr. Morgan made a motion to approve, seconded by Mrs. Schultz. All present were in favor. Motion approved. Letter of approval sent to Mr. Mitchell with copies to Ms. Barbara Nasuto and the Building Department.

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### **Subdivision Committee**

Councilwoman Tsigounis had nothing new to report.

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

Mr. Azzolina noted that he has a report on Application #1417, 96 Westervelt Place, Avrahan Lavon. The applicant's attorney was present. Mr. David Watkins with offices in Closter introduced himself as representing the applicant. Mr. Azzolina noted that the applicant was initially in front on the Zoning Board and got approval from the Zoning Board to partially demolish the existing home, which turned into a full demolition. A stop work order was issued. They were directed to come before this Board to obtain site plan approval. We received a site plan. He commented on that in a memo dated February 14, 2012.

The primary zoning issue as he sees it is a slight difference with respect to the footprint, not so much of the dwelling, but of the entry to the dwelling. Under the original proposal, the front door was facing Westervelt with a covered porch and the stairs were uncovered and went to the side of the property. Under the revised proposal, the front entry to the house was slid back approximately 12 feet with a side entry with a projection and covered porch above it. Our code permits projections into the side yard, but they are limited to a three foot projection and a four foot width. As shown on the plans, the roof structure currently projects three feet, so that would be conforming, but the width of the projection is 6'8". Mr. Watkins noted that he is absolutely correct, the code says three out and four in width. He stated that the plan will confirm to that requirement. Mr. Azzolina noted that that would present a solution to that problem, otherwise that would represent a variance condition, which would then lengthen this process. Mr. Watkins noted that they will comply.

Mr. Azzolina noted that the height issue has been resolved with the architect. He sent several revisions to the plan so that now the height is conforming. By the architect's calculation, the roof is approximately a 3 ½ pitch, which he believes the minimum in the code is three. Councilwoman Tsigounis noted that she wouldn't go less than 3 ½. Mr. Azzolina noted that numerically that works and they have used the average method that we use for garage under type dwellings where you take the bottom wall, top of wall, average that out, compare that to the other corner of the dwelling, so the height of the dwelling is based on the averaging. That works. The retaining walls are less than six feet. They are four feet in height,

which is permitted under our code. The plan has certain minor deficiencies which are enumerated in his memo. There are certain aspects of the drainage that the engineer can look at relative to his primary concern of the down gradient of the driveway to the garage area from the roadway. To address that situation, they have added a trench drain, which then discharges to a sump pump and it is pumped up to a seepage pit in the front yard. Depending on the groundwater elevations on this property, he believes it may be possible to create a gravity system, whereby the sump pump would only be used in the event of an emergency overflow situation. Mr. Watkins noted that he spoke with Mr. Hubschman and he will work with him on that and if they can do gravity, they will. Mr. Azzolina noted that it is really subject to whatever the water situation is on the property, but he is going to assume that if the property had a basement already, he didn't see any evidence of a sump pump in that property. The sewer in the road is pretty deep so you may be in a dry area. Mr. Watkins noted that they will work with him on that.

Mayor Romeo asked to see what the roof would look like. Councilwoman Tsigounis noted that it is a low pitch, not a flat roof. It is 3 ½ on 12. Mr. Galdi asked about an overflow to the street. Mr. Azzolina noted not to the street. He stated that there is limited drainage facilities in the street. He noted that if they constructed the seepage pit eight feet deep or so, this would allow you to connect it by gravity. In extreme conditions, you would use the sump pump to pump it up and out to the curb line for the overflow. Mr. Watkins noted again that they have no problem working with Mr. Azzolina on that at all.

Mr. Azzolina noted that the other issue that is not necessarily addressed in the Board's resolution is relative to the driveway location. This plan specifies that the driveway is going to be at nine feet off the property line as opposed to the ten feet that is required by our code. He thinks we can infer from the original approval that the garage backed up with the edge of the house so the westerly limit of the home has not changed so it is in the same location, just not specified in the resolution that they had granted that variance or waiver or whatever they called it. The zoning schedule on this plan states that it is.

In summary, Mr. Azzolina recommends that the plan be approved by the Board, subject to the revisions on the plans that Mr. Watkins spoke of and subject to the applicant's addressing the comments set forth in his February 14, 2012, memo. Mr. Morgan made a motion to approve, seconded by Mrs. Schultz. All present were in favor. Motion approved.

Mr. Watkins asked if Mr. Azzolina had any objection to the issuance of a building permit. Mr. Azzolina stated that he would recommend that the revisions be completed prior to the issuance of the building permit.

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**Old Business**

None.

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**New Business**

None.

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**Other Business**

Mr. Martin Lucibello was present. Mayor Romeo noted that he was sent to the Zoning Board and they sent him here because it was a knockdown. The address is 450 11<sup>th</sup> Street. Mr. Lucibello noted that it is an existing ranch that he wants to knock down and rebuild another ranch house. He stated that when everything was said and done with the plans, there was a foul up with his architect because he certainly didn't want to be here, he just wanted to get a building permit and build a house, they ran afoul of coverage and impervious coverage, even though the new house would be 600 square feet less than the

existing house as far as impervious coverage. Mayor Romeo asked if there is any other variance required. There is no FAR involved. Everything is OK as far as side yards and front yard. Councilwoman Tsigounis noted that they need building coverage and impervious coverage variances. They are over 2.63 with the building coverage and 3.5 with the impervious coverage.

Mr. Lucibello noted that the impervious coverage is less than what is there now. Mr. Azzolina noted that this is the first time he is seeing the plans so he will have to confirm the numbers as far as the coverages. The building coverage does include the garage area. This will be a brand new house. The lot is 120 x 104 feet. He has 11,800 square feet. Mr. Azzolina stated that he would need to do a completeness review to get the correct numbers. He would tend to believe Mr. Hubschman's numbers as opposed to the architect's numbers.

Mr. Azzolina noted that assuming the plan is complete, it can then be scheduled for a public hearing. He would typically use the next two weeks to review the plans and report back to the Board at the next meeting and then schedule the public hearing. He would prefer to do the completeness for the next meeting. It was determined that these plans have not been submitted to Ms. Nasuto as required to get an application number. Mr. Lucibello was instructed to present the plans to the Borough Hall to get an application number and pay his fees.

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Mr. Galdi opened the meeting to the public. No public wished to be heard.

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Motion was made by Mr. Morgan to adjourn the meeting at 8:14 PM, seconded by Mrs. Schultz. All present were in favor. Motion approved.

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The next four regular Planning Board meetings are scheduled for February 28, March 13, March 27, and April 10, 2012, at 7:30 PM in the Borough Hall.

Respectfully submitted,

Carolyn M. Petillo  
Recording Secretary