

MINUTES

CRESSKILL PLANNING BOARD

FEBRUARY 23, 2016

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, Mr. Morgan, Ms. Bauer, Mr. Calder, Mr. Moss, Mrs. Schultz, Mr. Ulshoefer, Mr. Durakis and Mr. Mandelbaum. Also present were Mr. Azzolina, Borough Engineer, and Mr. Steven Schuster, Board Attorney.

Mr. Ulshoefer made a motion to approve the minutes of the February 9, 2016, 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, dated February 16, 2016, sending Mr. Sokol Lumaj to this Board for approval. He wishes to construct a new single-family dwelling at 274 Brookside Avenue. The new home will require a combined side yard variance. Application #1476 was received on February 18, 2016.

Letter of Introduction from Mr. Edward Rossi, Construction Official, dated February 9, 2016, sending Mr. Uri Rapaport to this Board for approval. He would like to construct a new single-family residence at 4 Evans Road. Application #1475 was received on February 12, 2016.

Memo from the Northern Valley Mayors' Association regarding a meeting on Thursday, February 25, 2016 at Madeleine's Petit Paris in Northvale. The guest speaker will be sheriff Michael Saudino. File.

Vouchers from Mr. Steven V. Schuster relative to the Cresskill Planning Board for the month of September 2015 in the amount of \$1,541.97, for the month of October 2015 in the amount of \$1,226.57 and for the month of November 2015 in the amount of \$1,359.37. Mrs. Schultz made a motion to approve, seconded by Mr. Durakis. All present were in favor. Motion approved.

Letter of Introduction from Mr. Edward Rossi, Construction Official, dated January 12, 2016, sending Mr. Lucibello to this Board for approval. He wishes to construct a new single-family home at 40 Fifth Street. Application #1474, Perrine Associates, LLC, was received January 22, 2016.

Subdivision Committee

Councilwoman Tsigounis introduced Application #1475, 4 Evans Road, Eyal Morad (Uri Rapaport), which was received on February 12, 2016, and Application #1476, 274 Brookside Avenue, Lumaj Builders, which was received on February 18, 2016. Both plans are under review. Mr. Chris Lantelme was present for Application #1475. He noted that no variances were required. However, it does require lot area because the lot area does not conform, but that is existing. It is 600 square feet short. The owner, Carolina Morad, was also present. She noted that she is moving from Englewood. She did a lot of

research and it has one of the best elementary school systems. She is looking forward for her kids to attend the public schools.

Mr. Sokol Lumaj, the builder for 274 Brookside Avenue, was present for Application #1476. The property is between Deacon and Mezzine. It is three houses in from the corner of Deacon. This house will be demolished and replaced by a new one. Mr. Lantelme did the site plan for this application also. This application requires a variance for the side yard. Mr. Azzolina asked who the existing owner was. The home was rented to Korean people, but the owner was in Florida. It is a one story ranch. Mr. Moss asked how many bedrooms. There is going to be four bedrooms upstairs and one bedroom in the basement. They comply to the FAR.

Councilwoman Tsigounis asked what the variances are that they are looking for. Mr. Lantelme noted that they are looking for 1.25 feet combined side yard variance. Councilwoman Tsigounis asked if there is any way they could wipe that variance out. Mr. Lumaj stated that they tried to do it but it is a narrow lot and they did the best they could but they couldn't do it. Councilwoman Tsigounis just thought that if they could get rid of that 1.25 feet they could avoid a public hearing. Mr. Lumaj understood but said he just couldn't do it on the narrow lot.

Both of these applications are currently under review.

Report from the Borough Engineer's Office

Mr. Azzolina reported that he reviewed Application #1474, 40 5th Street, Perrine Associates, and he finds them to be incomplete as presented. His comments are set forth in his memo dated February 23, 2015. The applicant's engineer and architects are here to go over the plan. The deficiencies are technical in nature on his end. The primary comment would be that the plan is located in the flood fringe of the Tenakill Brook. It does not appear that the construction is within the flood plain, but they need to confirm that by changing the datum. The topography is shown as assumed datum as opposed to the datum based on 1949 datum that the DEP mapping is based on. They need to convert the topography, make application to the DEP, so they can confirm that the site can be developed as proposed. That is the primary comment. The other items set forth in the memo are relatively minor technical issues. He notes that the applicant and their professionals are here and perhaps they would like to review with the Board the specifics of the construction and take it from there.

Mr. Raul Maderos, the architect was present for this application. The property currently has a detached garage which is in front of the home. The house is set further back from the garage. Usually it is the other way around. The proposal is to bring the house further away from the where the flood plain appears to be. The engineer is Mr. Lantelme. They have designed the house to conform to all of the zoning regulations. The lot is conforming in all aspects except it is narrower than 100 feet. They have a little over 90 feet at the front portion. That is a pre-existing technical variance. Otherwise, the house as designed, conforms to all of the other zoning.

Mr. Morgan asked about the flood plain. Mr. Maderos noted that that is the engineer's territory. He spoke with him earlier and he knows what he has to do and he is going to be preparing all of the documentation requested. Mr. Azzolina noted that he has been in touch with the engineer about a couple issues. The issues are relatively minor. He does believe that the construction will be beyond the limit, but he can't say for certain until the limits are shown on the plan and the elevations are converted to the appropriate datum. The applicant will make application to the DEP and they will issue a determination, assuming that they agree that it is beyond the limits. Otherwise a flood hazard area permit would be required and that is another round, but he doesn't think that is the case. The Board can approve it subject to them revising the plan in accordance with the comments contained in the memo. Once the DEP approvals are received, they can get their permits. Mayor Romeo asked how long that would take. Mr. Azzolina expects it would take about 30 days.

Mayor Romeo asked how much the property whittles down to in the back from the 95 feet in the front. Mr. Azzolina noted that it is an unusual shaped property. The only existing non-conforming is the frontage of the property, which is 96.96, where 100 feet is required. The area complies. The FAR and impervious coverage complies. All the calculations are based on a lot area within 125 feet as is required for lots that have greater depth than 125, which on this property you have 100 feet on one side yard and 195 feet on the other side.

Mr. Lantelme doesn't think there will be any issues with the DEP. Mr. Azzolina agrees with that assessment. That is his recommendation to the Board, that they approve it subject to the issuance of the determination from the DEP and subject to the revision of the plan in accordance with the comments in his memo. Mr. Ulshoefer asked Mr. Lantelme if he was representing this property as well. Mr. Lantelme noted that he was. Mr. Lantelme noted that when they put this site plan together, they looked at the flood maps that were available and they are confident that it is not going to be an issue. They are out of the flood zone and may even be out of the riparian zone. That stream is pretty far. Mr. Azzolina agrees. Mr. Lantelme stated that they will go through the steps. Mr. Azzolina noted that a portion of the property is actually in the flood zone. When you look at the DEP maps, it just clips the back corner.

Mayor Romeo asked if they should come back in two weeks with the letter. Mr. Azzolina noted that everybody has all the information. It is not necessary from his perspective for them to come back. It is up to the Board to determine whether they need them to come back. They presented the site plan and the architectural drawings. Unless there is a change to that caused by the DEP, then they would have to come back. Otherwise, from his perspective, the comments are rather minor in nature and the plans can be approved at this time, subject to them revising the plans in the future. Mayor Romeo asked to see the plans for the house. Mr. Maderos showed the architectural plans that everybody received two weeks ago.

Mrs. Schultz made a motion to approve. Mr. Moss seconded the motion. Mr. Ulshoefer said that he was OK with it but would prefer to have the stuff before we sit down here and start reviewing it like the information that Mr. Azzolina hands out. It doesn't do him any good to look at it for 30 seconds and make a decision. Plus, we still have to base it on whether they get their approval. Like they said they probably would get an approval, but what if they don't and we already approved it. Mr. Azzolina stated that they can't do anything without that approval. They would have to come back. That takes a higher precedence than this Board. Mr. Morgan said they can start their demolition if they want to but they can't start the building. Mr. Maderos doesn't think it would be in their favor to start demolition until they got that approval from the DEP. Mr. Ulshoefer asked if we get a copy when they get the approval. Mr. Maderos said absolutely.

Mr. Morgan stated that we have a motion and a second to approve. On Roll Call: Mayor Romeo, Councilwoman Tsigounis, Mr. Morgan, Ms. Bauer, Mr. Calder, Mr. Moss, Mrs. Schultz Mr. Ulshoefer and Mr. Durakis all voted yes.

Old Business

None.

New Business

None.

Other Business

None.

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

Motion was made by Mr. Calder to adjourn the meeting at 8:06 PM, seconded by Mrs. Schultz. All present were in favor. Motion approved.

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

Respectfully submitted,

Carolyn M. Petillo
Recording Secretary